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ABSTRACT

The 12 papers in this collection are all concerned with various aspects of delinquency prevention, counseling, correction, and rehabilitation. Some of them had been presented at conferences, some pulled from other works. The first paper states that the pupil personnel worker should be the most important diagnostician and agent for change because he is there at the initial or pre-truancy stages of deviant behavior. The second argues for administrative changes to provide multiple social and community services in the ghettos on a round-the-clock basis, instead of extending such non-police roles to the police department. Other papers deal with counseling the public offender before, during, and after institutionalization. Two papers focus specifically on the narcotics problem. All of the authors write from a sociological background, some also from experience in criminology and police work. (MF)

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THE PUPIL PERSONNEL WORKER IN OUR CHANGING SOCIETY*

By

George G. Killinger**

I consider the Pupil Personnel Worker the most important diagnostician and agent for change of all the social scientists. He is the professional who is so often first in the line of action when a child attempts to "Cry for Help" even though the child may have given his signal or have attempted to communicate in a most obscure and unusual manner. The Pupil Personnel Worker who is alert, sensitive and well trained can understand an act of aggressive acting out behavior, of truancy or delinquency as a "Warning" or "Cry" for help, just as he can also interpret withdrawal from competitive activities, fantasy, daydreaming, poor grades, and eventual truancy as danger signals. "An ounce of prevention is worth a pound of cure." If the Pupil Personnel Worker could always move in and establish a treatment design that would answer the needs of these early cries for help, we could then close more than half the Training Schools and Reformatories now in operation in America. Research has consistently shown us that the one greatest single prognosticator of further and more serious delinquency is truancy. So often we have failed to really look behind and underneath the act of truancy and into the dynamics and etiology of the overt act to determine just where the child hurts and why he is truanting or misbehaving.

We spend billions of dollars attempting to rehabilitate the juvenile and adult criminal offender when a few million spent in treatment at the truancy stage of criminal development would bring untold returns on our investment through the reduction of subsequent serious crimes committed by these same individuals when not treated at an earlier age. No one truants without a reason. While truancy is a common forerunner to further more serious delinquency, all truanting youngsters will not become delinquents if we can determine without delay the cause of the difficulty which manifests itself in truancy. A new pair of shoes, a wholesome school lunch provided without "charity" identification, a notebook like the others in the class, improvement in the reading skills, a haircut by a barber rather than by a mother or father, or any of a hundred other similar situations which to the truanting child take on undue meaning and importance--may bring about more change in behavior than many years in a training school or prison, if we let the truant progress to this degree of criminal sophistication. Criminal behavior is human behavior and we must recognize it as such and so treat it--and the earlier the better.

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*Paper delivered at the 54th Annual Convention of the International Association of Pupil Personnel Workers, Rice Hotel, Houston, Texas, October 28, 1968.

**George G. Killinger, Ph.D., Director, INSTITUTE OF CONTEMPORARY CORRECTIONS AND THE BEHAVIORAL SCIENCES, SAM HOUSTON STATE UNIVERSITY.

I believe that we can all agree that one of the greatest advances in our attempts to understand the "society of delinquents" as well as the individual offender--has resulted from our change in emphasis from "what did he do" to "why did he do it?" This change is even apparent when we visit a training school or reformatory reservation and observe the housing of the staff. When I first entered the correctional field years ago, there were always two big staff houses--one for the Warden and the other for the Deputy Warden in charge of Custody or Mass Treatment. Now there are always three big houses, one for the Warden, or Superintendent, one for the Assistant Superintendent in charge of individualized treatment, and one for the Assistant Superintendent in charge of Custody or Mass Treatment. In recent years we have moved to a dual orientation of both Custody and Treatment, or as I like to call it, the two big "C's" in Corrections, Control and Change. Without Control we cannot carry out the mandate of the courts,but without Change we cannot meet the challenge of the court, society, nor the needs of the individual offender and his family. A great breakthrough occurred when we advanced from simple categorization by type of offense to classification and individual analysis, with emphasis on incarceration as punishment rather than incarceration for punishment. Before that time immobilization, incapacitation, restraint, and vengeance were thought to be the only means for the protection of society. We must not of course, underestimate the value of enlightened custody and discipline, without which there could be no truly successful correctional program. I am often reminded of what a Deputy Warden whom I regarded most highly, once said to me during my early days at the Atlanta Penitentiary. He said, "If we don't keep them, you can't treat them." I immediately told him that I did respect his point of view, but that I hoped to be able to show him that enlightened treatment and more understanding could make them easier for him to keep. We later became great friends and pursued this dual responsibility with equal respect for both custody and treatment. There can be no dividing line between the two areas and both require special learned skills.

The attendance counselor or visiting teacher has the same responsibility of how to control or keep them from truanting or more serious delinquency and at the same time bring about change in attitude and behavior. This is the challenge in the field of Pupil Personnel Management as well as in the field of Corrections. The two big C's--Control and Change--must go hand in hand. In order to pursue this new philosophy of looking behind and beyond the offense to the individual characteristics of the particular offender and understand the dynamics of his behavior, we must have Personnel Workers who are able to understand human behavior and create therapeutic situations within which the needs of both the delinquent and society can be met.

Delinquents do not change by simply being told to change. Advocates of Millieu Therapy believe that a reorientation of the child's total environment will transform his personality. Change comes through planned procedures, instilling in the delinquent skills, desires, values and social attitudes that will enable him to function in a normal society. To bring about change the skills of every practitioner in the entire school system and correctional continum is required. Control nor treatment can be compartmentalized. We must coordinate and have the cooperative efforts of everyone from the attendance officer--in the case of a truant youngster--or in more serious cases of delinquency,the police officer,who first makes the arrest, to the probation or the parole officer who finally completes the treatment process with supervision, reintegration and discharge. Recent research by Gothman and others has shown that more change and rehabilitation is effected by the one to one relationship of the visiting teacher, the attendance supervisor, the police officer, the cottage parent, or the custodial officer with whom the offender has closer contact and with whom he may come to admire, emulate or identify than is possible by all the social workers, psychologists, and the psychiatrists on the staff. When an offender moves from the level of doing only what he "must" to the level of doing what he "ought", progress has been made. The famous Wiltwyck School in New York has been most successful in its ability to bring about personality change within a therapeutic environment, but here their findings indicate that change only comes and that Milieu therapy is only successful when the whole environment becomes mobilized against the child's disorder. Psychotherapy, group therapy, art therapy, social workers, and psychologists converge in treating the child. With such a "team approach" it is difficult to isolate the particular point or exact cause of change but the Wiltwyck experiments as well as those of August Aichhorn, the father of the permissive school, years ago found that "the most important thing in the curing of the delinquent is the delinquent's feeling for the counselor." Aichhorn's 1925 assertion seemed startling at that time. Today it is a truism, yet rarely has there been an attempt to test this theory.

A child will not identify with the values of a person who continually frustrates him. He may obey, but he will not emulate. When we can show a child that authority--whether it be the pupil personnel worker, law enforcement officer or the court--can help as well as hurt and authority can be protective, he can be brought to the point that he will identify and can be impressed with the consequences of his act--which after all is the final goal in bringing about change. The success of the Wiltwyck program is based upon the general philosophy that "punishing teaches the child only how to punish, scolding teaches how to scold; by showing him that we understand, we teach him to understand; by helping him, we teach him to help; by cooperating we teach him how to cooperate." In the evaluation of Wiltwyck's success in bringing about the change in hostile, aggressive delinquents, four factors seem always to be in evidence. These four factors were: adult-child rapport, permissiveness, group influence, and also individual counseling. With one child one fact may be more importtant than another. On the whole however, rapport depends on the adult's non-punitive attitude. With continued frustration, we get hostility and eventually hate, but by allowing the boys to "act out" their aggression in socially harmless ways the school provides an outlet for this hostility and through permissiveness and counselor rapport the boys, who never before have associated with a non-punitive, supportive adult have their view of authority figures changed or modified. In addition to rapport and permissiveness the influence of group living seems to account for some improvement.

Before coming to Wiltwyck many of the boys belonged to street gangs where group pressures encourage antisocial behavior. At Wiltwyck, on the other hand, each group is guided by a counselor and group influence turns the boy in a positive socializing direction. More of these techniques should be applied to the public school setting. Daily, we come to understand and see the importance of peer leadership, peer influence and peer treatment. Another factor that seems quite important in bringing about constructive change is through individual counseling. A child with problems must have an opportunity for talks with a counselor, social worker, psychologist and other staff members. The rapport established is important, but also the talks themselves and the accompanying catharsis probably give the boy a greater insight into his problems and personality. The Wiltwyck program is cited only to show that change can result only from application of principles and techniques that will bring about desire to change. Every employee and especially the pupil personnel worker, must have training at the academic pre-employment and in-service levels, if he is to effect change and restore to acceptable living standards the pre-delinquent and delinquent youngsters who are placed in his charge.

At Sam Houston State College our Institute of Contemporary Corrections and the Behavioral Sciences was established to attempt to meet the needs of education and training for the student preparing for a professional career in Corrections. While the Institute is housed in the Department of Sociology and we accept the fact that social factors including poverty and many other social ills do have a great bearing on prevalence of delinquency, we also know that sociology alone does not have all the answers. Our faculty is multidisciplinary in composition and is made up of lawyers, psychologists, social workers, behavioral scientists and psychiatrists. We must take an eclectic or a multiple causation approach and we must draw upon all the knowledge of the various behavioral sciences. Working in a complex community setting with an even more complex body of delinquents, it is necessary that the pupil personnel worker as well as the police officer understand the fundamental principles of psychology, political science, law, economics, anthropology, and social work. There can be no single body of information extracted from any one of these fields that will furnish the answer to all our needs, but with the best from all, and certain basic principles that can be used as tools, we can improve the "know how" and skills of all correctional workers.

There are certain basic areas of learning that every worker in the correctional continuum needs and it is just as important for a police officer or attendance counselor to understand the dynamics of delinquent behavior as it is for the institutional worker or parole or probation officer, since, after all, the law enforcement officer does more diagnosing with less professional assistance and in a much shorter period of time than any of us in the entire correctional scheme. He has to "understand human behavior." He makes that decision that will either release a child or bring him to court. He comes into initial contact with more personal and social pathology than does any other individual or organization. He is always faced with the decision as to whether he should take action, and then what action? It is noted in a review of statistics throughout the country that more than fifty per cent of all dispositions regarding delinquent acts of children are made by the police officer. The most opportune time for change or for rehabilitation of the offender may be at the time of arrest when the delinquent child is under great anxiety. Often, "if given a break" when he does **not** deserve it,the offender will internalize guilt and feel that authority can be helpful as well as punitive, and he will change. Change often occurs at unexpected times and places.

Mr. James V. Bennett, the former Director of the U. S. Bureau of Prisons, once said that he believed that "more rehabilitation took place in the back seat of a car as the Marshal or law enforcement officer was taking an offender to the penitentiary than ever took place after he got there."This evaluation is probably quite true and points up the fact that the rehabilitative process extends from time of arrest,or even before, and that each contact by every practitioner becomes an important factor in the treatment plan. The manner in which the police officer handles the beginning of the corrective process frequently determines success or failure in bringing about the desired change. I believe that much rehabilitation and change could take place if we could take more children to the "brink" of incarceration rather than let them experience actual commitment--and often the security and protection, as well as the trauma and later stigma which it may bring. I am reminded of a young probation officer in Florida who had to take a boy to the Marianna School for Boys and along the way, under great anxiety, the young offender poured out his soul to the probation officer.Great rapport and mutual respect ensued. The probation officer stated that the boy cried most of the way, and during the last ten miles of the trip both were crying. The probation officer believed that could he have turned around before taking the boy through the gates and could have returned him to his parents, together with community treatment and the careful guidance that he could have afforded at that particular time, more change could have been effected than ever took place after he had to forsake the child at the Training School.

The police officer is in an enviable position to sense these indications of vulnerability to change and he should be able to use these signs as an effective treatment device. There are times certainly, when we all are more vulnerable to change than at others. Years ago I used to feel that had I been permitted to release certain men at the end of the quarantine or diagnostic period, before they could enter the main penitentiary population to become prisonized or institutionalized they would have been much more ready to return to society than at any other time during their incarceration. A study I recently made in Florida, in which I reviewed the backgrounds of some 200 married men who were incarcerated and subsequently released on parole, showed that there were only a few extremely stressful periods these men were most amendable to change.

Just as there comes a time in every man's sentence when he is more ready for release than at any other time, there comes a time within his sentence when he is more ready for change than at any other time. He is more vulnerable at time of arrest, time of sentencing, time of commitment and the time of parole, than at any other. Through University courses and intensive in-service training programs we must all come to see the importance of each contact as a means of control and as a means of change. Police are brought to realize that there is a right and wrong way to make an arrest. Even an arrest when handled properly can facilitate rehabilitation, just as mishandling can arouse hostility, produce trauma and hinder later change. There is a right and a wrong way to put on handcuffs, just as there is a right and a wrong way to book a suspect at headquarters or to admit him to a detention home or diagnostic center after sentencing. We can not single out any one contact as unimportant, whether it be by the visiting teacher, the police, the judge, the probation service, the parole board or by institution personnel. All of these workers must be directed toward the same goal, if society is to be protected and rehabilitation is to take place.

There has been much controversy over where and how correctional personnel should be trained. Many believe that the field of psychology should be the basic background curriculum, others feel that sociology provides the proper foundations and still others insist that law schools or the graduate program in social work had the answers. All of these disciplines are needed, and do furnish basic knowledge as does also the psychoanalytic school. Freud has given us many principles that we can use in our work with problem children--Freud's "layer concept of personality". For instance, he said that on casual contact or acquaintance we see only the defenses of the individual, but as we know him a little better we may see the "anxieties" that caused these defenses. After we know him much better we may even begin to see the real person or self. The law enforcement officer and certainly probation officers, as well as workers at the diagnostic center, rarely get below the defense or anxiety level of the offender. We can use much from the basic fundamental theories of psychology. Even from animal psychology we can take a lesson. Pavlov in his work with dogs had trained them to distinguish between a circle and an elipse. The elipse was then altered in shape so that it became more and more like the circle, until the dog would no longer distinguish accurately between the two. He lost all ability to discriminate and stood there shaking all over in what Pavlov called an experimental neurosis. When the animals were forced by the experimental conditions to make discriminations which were beyond their capacities, they seemed to suffer the equivalent of a nervous breakdown.

We see this same process in human beings. When we ask the child to perform beyond his capabilities, he can have a nervous breakdown; even a psychosis, truant, commit a crime,or become a suicide. Adler made us acquainted with the "inferiority complex" and its affect on all of us, especially in our many ways of compensation. Jung made us acquainted with the introvert and the extrovert, and showed us how, under the different situations, we can swing from one extreme to the other, or that we really may be ambiverts. The pupil personnel worker and correctional worker should understand all of these basic principles and be able to apply and use them daily in his work. The psychoanalyst has helped us understand the problem of "transference and of counter-transference" which we encounter with our correctional clients all the time. Whether we call this interaction "transference" or "counter-transference" makes no difference as long as we can understand what is happening. When the delinquent transfers to us feelings that he has had for another person and these feelings are out of all proportion to the present situation, whether they be positive or negative,and we understand what is happening,we can handle more effectively the interpersonal relationship which results. If we do not recognize this transference and "counter-transfer or strike back" we have failed. This phenomenon must be recognized and understood by every personnel worker. We can use the social worker's concept of "empathy" and try to put ourselves in the other person's or offender's shoes. From the sociologist we find that much of criminal behavior is learned behavior and that through "differential association" we learn criminality just as we learn politeness or good manners.Adolph Meyer, the great psychiatrist, showed us that we must take the holistic or psychosocio-biological approach to every individual case and that even when we have major organic or physiological involvement,the psychological and sociological factors may be the determining factors in recovery or in death. It is more important to know "who has the disease" than "what the disease is".

The pupil personnel worker,and all of us in corrections must know our laws, statutes, rights, and codes, all of which gives the framework, guidelines, mandates, and limitations in our treatment of the offender. We must recognize the principle of maturation--biological growth independent of environment--and we must wait for and not rush maturity in many instances. We all, and especially the pupil personnel worker, must recognize immaturities, defense mechanisms, and the different tools and facilities that the offender, as well as all human beings use in supporting the self image. Only when we have had training and understanding can we recognize the behavior manifestations, and use them in a constructive way toward change.

Too long we have treated the offender as a separate entity and should now begin to consider his family constellation at every level of the correctional process. Every police department should have on its staff a social worker or social workers,specially trained, who could give the man under arrest understanding information regarding his rights, contact his family, get in touch with his attorney, explain bonding procedures, and meet the immediate problems which if unmet at that time can never be corrected. When indicated, the family should be visited and informed of the situation in order to reduce the shock that arrest and confinement brings. We spend millions in the rehabilitation of the individual offender yet fail to meet the needs of the family of the offender during the early and crucial periods of arrest, summary trial, preliminary examination, indictment, arraignment and sentence. We do too little too late. During these stressful periods, family ties can be strengthened and utilized. Such unity can often effect more constructive growth than years of institutional confinement. A youthful offender, for example, may never have been able to identify with his father but when this father shows his son that he is with him in time of real trouble, the youth will come out of the ordeal of arrest, arraignment, and sentencing with an internalization and support that he had always sought but had never been able to achieve. A traumatic experience can often become a unifying experience and is a strong source of help in treatment which we have often failed to utilize.

Only through the coordinated efforts of all of us in the entire area of corrections, including personnel workers, law enforcement and parole,and through the use by all of us of every possible community resource, together with application of the basic principles and findings of the behavioral sciences can we ever hope to understand and meet the needs of the correctional client and the society from which he comes.

TECHNIQUES IN COUNSELING THE PUBLIC OFFENDER*

By

Hazel B. Kerper**

A recent article in Federal Probation by Mary E. Switzer, Commissioner of Vocational Rehabilitation for the U. S. Department of Health, Education, and Welfare is entitled: "Vocational Rehabilitation and Corrections: A Promising Partnership."[1] Those of us in corrections welcome this partnership.

Rehabilitation has made a logical progression **from** treatment of the physically handicapped, to treatment of the mentally handicapped, and now to the treatment of the socially handicapped. During the same period, the correctional model has changed from punishment, to treatment, to resocialization. These progressions have brought rehabilitation and corrections closer together. To a greater degree than ever before, rehabilitation and corrections are sharing common techniques.

The techniques of counseling the public offender do not differ in basic concepts from the techniques of counseling the psysically handicapped; in many respects they are the same as those used in treatment of the mentally handicapped. Techniques needed in vocational counseling, educational counseling, pastoral counseling, industrial and marriage counseling are very similar. Thus we can arrive at a composite definition of counseling. One such composite is the following by Gustad.

> Counseling is a learning-oriented process, carried on in a simple, one-to-one social environment, in which a counselor, professionally competent in relevant psychological skills and knowledge, seeks to assist the client by methods appropriate to the latter's needs and within the contest of the total personnel program, to learn more about himself, to learn how to put such understanding into effect in relation to more clearly perceived and realistically

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*Paper presented at the Regional Staff Development Meeting, Region III, Rehabilitation Division, Texas Department of Education. General Topic: "Improving Client Services." December 7, 1967.

**Hazel B. Kerper, J.D., M.S., Professor of Criminology.

> defined goals to the end that the client may become a happier and more productive member of his society.[2]

It may be, of course, that when we are talking about counseling we are thinking of the more extensive re-education of the individual which is designated "psychotherapy". In your work with the mentally ill, you may well have entered a depth dimension more properly labeled "psychotherapy" than "counseling". So with correctional counselors--many of us are engaged in "therapy". We seek to re-educate the offender not only on the conscious level but on the unconscious level as well; we try to lead him to insights into his personality structure,and to help him to work out methods of handling the feelings originating deep within himself.

The skills and techniques involved in counseling and psychotherapy are very much alike. Whether or not we maintain a careful distinction between counseling and psychotherapy is less important than that we learn the skills common to both, and use them within the limits of our own knowledge and training.

I have emphasized similarities and commonalities. This is not to overlook the special counseling problems relating to the offender. Though the offender is more like than he is different from the non-offender, he does exhibit behavior syndromes that may distinguish him,for example,from the man whose problem is that he has recently lost an arm in an industrial accident. This is a good place to stop and consider "How different _is_ the offender?" The answer is "not very different," but nevertheless with special kinds of problems which may call for special kinds of counseling techniques.

Offenders,as a group, have about the same mental ability as non-offenders. Carl Murchison compared the IQ scores of prisoners with those of soldiers, taking into account race, native or foreign birth and region. The results unequivocally proved that prisoners and soldiers, men of much the same age, had essentially the same range of mental test scores, that the majority of both classes fell into the average range, and that both groups had men of high and low mentality in about the same proportions. The offender is not, in terms of personality make-up, set apart from the rest of the population. With very few exceptions, the offender is not mentally ill. He is not sick. He is not even emotionally maladjusted to a greater degree than emotional maladjustment occurs in the general population. Studies using a control group have proved this over and over.

If distribution tables are made of offenders and non-offenders according to recognized clinical designations of mental illness or emotional maladjustment, the incidence of any particular category in the offender group and the normal group is about the same. Which is to say that there are about as many non-offenders who have weak ego controls, for example, as offenders who similarly cannot maintain a balance between self-centered unsocial impulses and ideal standards. The central fact that comes out of these studies is that about 65% of both groups are "normal" psychologically speaking.

There are a few interesting exceptions in the comparable distribution rates. There are more psychopaths in prison than out, and more passive neurotics outside than in. The psychopaths, or those who "exhibit psychopathic tendencies", as the diagnostic charts often phrase it, present special counseling problems. I have a notion that they tend to be over-represented in the offender group that you people counsel as rehabilitation counselors, though their incidence in the total prison population is only about 7.5%. If you take the psychopaths at their face value, they will manipulate you and use you, and the moment they are free, they will behave as they have always--impulsively, selfishly, and without guilt. They will do none of the wonderful things that they have so charmingly and convincingly promised you that they would do, and if you are very involved with them, they will break your heart!

In the offender population, there is a higher percentage of persons with tendencies toward aggressive behavior. They "act-out". Their reaction to frustration and anxiety is to do something. They blow up. Grygier[3] in a very interesting study in which he compared criminals in a concentration camp with other persons who were in a concentration camp--his idea here was to keep the variable of incarceration constant--found that the criminals suffered from a threatening "press". What he meant by "press" was the psychological environment or climate in which a person lives. The criminal group and almost without exception, as individuals, saw the world as a threatening place, aggressive toward them. In fact, they saw themselves as victims; in their own minds, they did not fight, they fought back. Melitta Schmideberg, a woman psychiatrist, and one of the few psychiatrists whose work is largely with offenders, often comments to the same effect in her journal articles.[4]

We have also in our offender population the dyssocial offender. His offense is that he does what comes naturally in his cultural millieu, and his cultural millieu has a different set of values than those of the dominant middle class culture. As Dr. Killinger often remarks--the federal prisons are full of men from Kentucky, South Carolina, Alabama and Georgia who didn't commit any crime--all they did was to keep the peaches from spoilin'. These are people who in all other respects are sincere, conscientious, law-abiding people--in fact, their moral character is so good that they are frequently used in the institutions to work with the young offenders. But they insist on making moonshine; it is one of their inalienable rights brought over by their forefathers on the Mayflower. Counseling such offenders can be very frustrating. Theoretically, they should be easy to change as they relate well to other people, are disciplined, conscientious, and possess a host of virtues. But to get them to change the behavior that repeatedly gets them in trouble with the "revenoors" involves counseling in one of the most difficult realms of all--the realm of values. It is almost as hard to reform the dyssocial offender as it is to change the psychopath, though their personality dynamics are very different indeed.

The public offender that you counsel while he is still in the correctional institution, the probationer who avoids incarceration,and the parolee that you are helping to find his way back into gainful employment have social handicaps that differentiate them from other classes of handicapped people. They have certain handicaps imposed by law. These restrict their freedom of movement, require that they avoid certain associates, prevent them from getting some kinds of employment. Some of these legal restrictions result directly from their conviction; others are derivative. The former doctor or lawyer may lose his right to practice his profession as a direct result of his conviction; a barber, a beauty parlor operator, an engineer,an architect, a bartender and a bank teller may likewise be barred from his former employment. In a myriad of small and frustrating ways,society continues to impose punishment on the felon long after he has served his formal sentence in full.

Such problems call for special understanding on the part of the counselor. Among other things,the counselor should know the nature and the extent of the legal and social handicaps imposed on the offender. He should know something about how to remove or minimize them. He must be able to help the offender "work through" the psychological problems that result from what amounts to life long punishment for his offense.

In all these areas, and in others as well, the correctional counselor must adapt general counseling techniques to the special counseling problems that he faces. He cannot do this unless he asks himself two very important questions: First, "What are the objectives and goals of counseling in the correctional setting?" and the second related question, "What is the social imperative that is placed upon the offender?" Short-range counseling objectives of the counselor in a correctional setting have been listed as: (1) Re-interpreting frustrating situations, (2) Absorbing aggression to extinguish, weaken, or re-direct it, (3) Giving purpose to prison life by creating a treatment atmosphere and attitude, or in the case of the probationer or parolee, providing guidance, support (and often motivation) in the resocialization process, and (4) Providing an emotional object to which the offender can relate in a therapeutic situation.

When the correctional counselor has established a relationship with the offender, when they are en rapport, when they can communicate with each other (communication means exchange of meaning, not just words), then the counselor would function in some manner in almost every situation of importance to the man. In the case of the inmate this would mean in almost all aspects of the prison program as they effect this man; in the case of the offender who is serving his sentence in the community, in his problems of re-adjustment whether they be vocational, professional, personal, or social. The relationship however, must do its therapeutic work within the framework of the prison program or under the conditions of probation or parole, for the correctional counselor has a dual obligation--to society and to the individual offender, to protect the one as he works to rehabilitate the other.

Now let us go back to the second question to which the correctional counselor must find a working answer. "What is the social imperative that is placed upon the offender?" That imperative reduced to its simplest terms is: "You must change." It doesn't make much difference whether we see this imperative in legal terms which say "You must change because you violated the law and transgressed the behavior limits established by society;" or whether we see it in psychiatric terms which say "You must change to accept responsibility and face reality." With this imperative in mind, then, when we talk about "techniques in counseling the public offender" we are talking about techniques which will produce in him a behavior change, or more accurately, we are talking about techniques which will result in his changing his behavior. The responsibility, the locus of change, in correctional counseling as in all other kinds with which I am familiar, is not in the counselor but in the client.

As counselors, we merely provide the climate, the situation, "the place where" change toward more mature and responsible behavior can take place.

Of late, in the correctional field, we have been experimenting with the counseling or therapy group. We think that in this kind of group we have found a place where behavior change can take place; we think we may be developing some specialized techniques that promote this desired result. Group therapy seems now to be the treatment of choice. It is also usually the treatment of necessity, simply because we do not have enough trained psychiatrists or even counselors to work with our offender population on a one-to-one basis. Someone has determined that if we used all our available psychiatrists to give individual psychiatric treatment just to prison inmates--not to mention the probationers and parolees--the amount of treatment available to each prisoner would be 82 seconds per month. Group therapy leaders do not need to be trained psychiatrists, and in a group, the leader is working with 12 or 15 people at a time. In a sense, in group therapy every member of the group is the therapist; the trained leader is only a special catalyst to group interaction. This group interaction increases many-fold the therapeutic inter-change.

We have found that offenders frequently do better in group therapy than they do in individual therapy, even when individual therapy is available to them on a reasonably adequate basis. Many offenders do not readily profit from the one-to-one encounter; they are not able to take the responsibility of keeping the interaction going, they are suspicious of "head shrinkers", they are threatened by the value system of the middle class psychiatrist who, in their view, "has never been around;" and they are afraid of expressing their feelings to someone they identify as a part of the "system". In the group situation, many of these fears are minimized; other members of the group are offenders like themselves; the burden of interaction is borne by many; the group leader is less threatening and not so readily identified as a member of the establishment. Of even more importance, the offender gets a feeling that his problems are not all that much different;he verbalizes fears and hopes that he never dared express before even to himself, and the "reality testing" that takes place in a correctional therapy group is direct and to the point. A growled "Ah, come off it" can dissipate the most firmly held fantasy, and the stage-hogger and the scene-stealer are firmly and efficiently whittled down to size. The stoolie is quickly spotted and ostracized from the group.

In corrections we see the therapy group as a place where members can help each other face reality, where each person can realize why he is in prison, where he can be faced with how to express his feelings and understand the effect of his feelings on behavior, and where the staff members can assume new roles. In these respects, of course, the counseling group in the correctional setting is like a counseling group in any other setting, whether it be the alcoholic ward, the narcotic hospital, or the weekly marriage counseling session under the leadership of the local pastor.

There are special considerations in group counseling in an authoritarian setting. There is the problem that the group member may not be a completely voluntary participant. Maybe he is there only because the prison system will give him some "points" or because his participation in the group is a condition of his probation or parole. His attitude may be a combination of "there is nothing wrong with me" and "you can't do anything about it anyway." Unlike the soldier that you counsel with after he has suffered battle injuries, your offender client may never have functioned adequately in society at any time. You don't have a reservoir of prior "strength" to draw upon. You are not so much rehabilitating as habilitating. The offender may vent upon you the pentup hostility that he has not been able to release on guards and other inmates. If he is a psychopath, he will callously seek to use and manipulate you. And he will constantly test you to try to find out just what makes you tick.

In the correctional setting, the group leader must immediately establish limits, a degree of structuring that is often deemed undesirable in other therapeutic relationships. He must make it clear that while the group member may freely verbalize his feelings in the group, he cannot act them out, either in the group sessions or afterwards in the exercise yard. The group leader must warn the group members in the prison setting that if what they talk about threatens the security of the institution, as for example, if they blurt out the details of an escape plot, race riot, or suicide attempt, the group leader will be compelled by virtue of his "oath of office" to report such serious matters to the institutional authorities. When presented squarely and adequately, the inmate groups usually understand and accept these limits.

The group leader in corrections must also make it clear to the members of his group that he is not their instrument to change the "system" whether the system by the institutional rules or the conditions of probation or parole. He must emphasize that one of the problems of the individual is how to make an adjustment to "reality" which in this case means the reality of his confinement, his parole or probation restrictions, or even the reality of continuing social punishment that follows his conviction.

The correctional counselor must develop special skills in gaining the confidence of the group; he must always try to allay any suspicion that when he asks an inmate a question he is merely prying into the man's past life; he must get the group's permission to take notes or to tape-record the sessions. If he gets access to case files, he must be extremely careful to guard their confidentiality, and he should avoid using information obtained from the case files in the discussion sessions. The group counselor in the correctional setting must be aware of special termination problems that arise because he has no control over discharge dates, from the institution or even from probation or parole. He must be sure that the group member is not left raw and exposed in a psychological sense as release nears; he must give him a chance to work through his new insights and to practice his changed behaviors.

The correctional counselor must have knowledge of special legal restrictions that affect his group work, as for example, though it might be an excellent idea to get a group of parolees together for group sessions sharing common problems and experiences, this is sometimes not possible because the conditions of parole prohibit the parolee from associating with other criminals. The group leader in corrections must be prepared to answer such questions from the offender as "What does group counseling mean for my record?" "How can a man who is not a psychiatrist or psychologist help me with my troubles?" "What good does it do me to learn about myself in group counseling?" "How do I do it?"

In terms of specific counseling techniques, the correctional counselor will probably be eclectic, choosing the best or most appropriate from what he knows. He may lean heavily toward Rogers' non-directive methods, or he may be more comfortable with Glaser's reality therapy. He may see his role at times as one of putting on an emotional band-aid; at others, he may report the probationeer, the parolee, or the inmate for serious infraction of rules. In his group sessions, he will probably structure somewhat more than in other more permissive settings; and he may have to make himself more available to help in crises and emergencies. He will have to be prepared to absorb more aggression, be careful not to be "conned" to the extent that his naivite actually interfers with progress toward responsible behavior on the part of his correctional client.

He must remind himself that his own responsibilities are to protect society as well as rehabilitate the offender, however much the two roles may sometimes conflict. He must have infinite patience in the face of repeated disappointments. He will have to work with relatively fewer prior strengths and less motivation on the part of the client. He must face roadblocks that sometimes seem immovable.

One of the tasks of counselors is to help remove roadblocks that impede his client's progress toward mature and responsible behavior. This brings me to the changing goals in corrections. We do not talk now so much about "treatment" as about "rehabilitation, resocialization, and re-integration." The concept is of successful integration of the offender into a healthy community, hence correctional intervention will be community-based and must involve the community. If the community is not able to provide the minimum necessities considered essential for successful performance by the individual living in it, then the correctional worker would see himself as concerned with community reform and improvement.

All of this has a bearing on our techniques. The correctional or rehabilitation practitioner trained for this new role must have a thorough grounding in the dynamics of group interaction. He must understand the social and economic problems of the inner city, for it is from such communities that most offenders enter the correctional process, and it is to such communities that they will ultimately return. He must be able to secure the involvement of the community in crime prevention and control and in the re-integration of the individual offender into the community. The correctional worker of the 70's will not be found in an institution in a rural area, nor even in a downtown office building--he will be right out in the neighborhood. The Legal Aid Bureau lawyer, the probation officer, the parole officer, the police juvenile section, and the rehabilitation counselor will be operating from a mobile unit fully equipped and staffed to move into high risk areas and dispense services on the spot.

These developments will change some of our goals; they will change a great many of our techniques. We may be thinking in terms of "curing" a whole community, not just the members of a therapy group. We will need a lot more knowledge, and a lot more training, and some bold and innovative programs. Will we be equal to the challenge?

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POLICE AND THE GHETTO: A PROPOSAL FOR CHANGE*

By

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It has been said that "war is too important to be left to the generals," and "crime is too important to be left to the police." Although some might disagree with these cliches, it is hoped that a consensus would support the view that "the ghetto is too important to be abandoned to the police from 5 P.M. to 9 A.M."

It is regrettable that in the year 1969 the responsibility for most governmental services in our cities from 5 P.M. to 9 A.M. on weekdays, and on the entire weekends is assumed by the police simply because the responsible agency is non-operative. What is even more regrettable is that some writers have recently attempted to justify this deficiency in governmental services by extending the role of the police to social work functions, and to other community service areas. The police do not possess, nor should they, the necessary resources to assume the roles assigned to other agencies. Many responsible police administrators have long urged that other city agencies, particularly social welfare, remain open after dark, in the ghetto.

It must be recognized that every additional non-police task that is assigned to the police acts as a time delay factor in police response to emergency requests for assistance. When the emergency involves human life that delay factor can and will prove FATAL. Extending the role and service of the police to include social work and community services of a non-police nature tends to place the police in conflict roles and situations for which they have little or no education, expertise, or training. The results of some of these role conflicts are so serious as to mandate a change in public administration--particularly, in the ghetto.

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Recent studies have recommended that local city halls be operated from small stores in the ghetto. Other studies recommend that the police operate from store fronts in the ghetto, and become involved in social work and other non-police tasks. Several cities have implemented these proposals and claim they are successful. The same police agency that claims success in store front social programs has an unacceptable police response time of ten to fifteen minutes in arriving at the scene of emergencies involving human life.

Putting the police into ghetto store fronts does not solve the problem of "absentee government" from 5 P.M. to 9 A. M. Other responsible agencies must be physically present or subject to immediate response so that appropriate expertise and resources can be available within the ghetto. Without these agencies and resources, the police are again placed in multiple conflict situations. Fragmentation of police resources coupled with the utopian concept of "trying to be all things to all people at all times" had impaired the ability of the police to prevent crime and improve police service to the community, Many of the police-community relations programs currently in vogue fail to recognize the basic fact that improved police service is the primary factor in improving both public and community relations. Some of these social programs actually reduce police effectiveness by siphoning off personnel and other resources that are in critical supply. Although many of these new community relations programs have commendable long range social goals, the truth is that the "thin blue line" of police is much too thin to assume the roles and duties of other agencies.

A few examples from real life in the ghetto should illustrate the urgent need for other agencies to assist the police. On Friday evening, a ghetto resident reported to the police that rats had been observed in his apartment. Investigation by the police confirmed the presence of rats. Since the resident was on welfare, the police attempted an immediate contact with the Department of Welfare which possess the necessary resources to take relocation action. In some cases the agency is closed until Monday morning and no contact is possible. In other cases, an emergency telephone contact is possible but the usual decision is, "nothing can be done until Monday morning." In any event, the outcome has often been the same--some member of the family is bitten by a rat prior to Monday morning. Since the police were the only visible agency of government present on the scene, it is natural to find that many ghetto residents attach their frustrations and animosity to the symbol of government always available--the police. The wisdom of continually exposing the police to conflict situations of this type is questionable.

Consider the case of abandoned vehicles in the ghetto. They pose an attractive nuisance in most places, but in the ghetto they constitute a serious hazard to life and property. When a large truck is involved, police will notify the agency--Sanitation, Public Works--that has the necessary resources to tow the truck away. When this situation occurs on a weekend, it is not unusual to witness a delay of several days in effecting removal. During this period of delay, the truck is often used as a place to commit all types of crimes, including arson. An abandoned vehicle creates more of a hazard in the ghetto than it does elsewhere. A delay in the decision making process or immediate availability of appropriate resources can be critical. When a child is injured or attacked in or about such vehicle, it does little good for the police to attempt to explain which agency of government has failed in its responsibility. Once again, the ghetto resident is in communication with the only visible agency of government--the police. Again, the police have been placed in another conflict role with the community because they are there, and other agencies which possess the necessary resources are not. Present unsatisfactory police-community relations exist partially because the police have been required to assume the functioning role of other agencies, and also because the role of the police has not been defined adequately or accepted by the government, the ghetto, or even by the police, themselves. It is difficult to envision any dramatic improvement in police-community relations as long as the ghetto continues to perceive the police as responsible for many failures of government and society.

Lastly, consider the situation in which a report of gas seeping from a manhole cover in the street. The police promptly notified the public utility concerned and continued to make periodic notifications. Four hours later, an explosion occurred damaging much property, and although police cleared the immediate area, several people a considerable distance away were injured by flying debris.

These cases are not isolated instances or exceptional occurrences. Cases like these and others occur daily in the ghettos of our large cities. If public administration is the action part of government as reputed, then the police have a right to demand that other agencies with appropriate resources, join them when and where the action is--in the ghetto from 5 P.M. to 9 A.M.

Decision Making in the Ghetto

The organization and administration of most large city bureaucracies is characterized by tradition, political influence, secrecy, duplication of effort, poor communication and coordination and plain old inefficiency. This archaic and highly structured system usually results in red tape, delay, dehumanization, graft and corruption, and a general inability to respond promptly and effectively to urgent problems. Since most of the urgent problems of urban government are concentrated in the ghetto, it is appropriate that attention be directed toward an analysis of present organizational structure and administrative practices currently in operation in the large city ghetto.

There is prolific evidence that administrators in some of our large cities are seriously concerned with the critical and complex problems that exist in the ghetto. Unfortunately there appears to be even greater evidence that these administrators have NOT been able to translate this concern into any effective, consistent and coordinated system of public administration that effectively responds to the needs of the ghetto. It has been said that the surest way to condemn a meaningful program to mediocrity or failure is to permit it to become entangled in the jungle of the bureaucratic system of large city government.

The day to day operations of large municipal government bear little resemblance to either the formal organization or to the theory and philosophy of public administration. Although variations are always present, many large cities are characterized by a highly centralized decision making process coupled with a decentralization of responsibility. Violation of management principles are common, particularly the failure to delegate adequate authority commersurate with the responsibility of the task or position. Decision making becomes a most hazardous pursuit for any that do not occupy the apex of the pyramid. To make a decision is usually more hazardous than failing to make a decision. Decisions "make waves" and disturb the status quo. Avoiding decisions is perceived to be the best way of staying out of trouble. Unfortunately, the system often rewards the administrator that consistently avoids the decision making process by referring most matters upward in the hierarchy.

In police organizations, it is not unusual for some supervisors in the field to by-pass several echelons of command and call the Chief's Office direct to find out whether "six or ten pickets should be permitted on the picket line at a labor dispute." This procedure is perceived as an expedient way of getting a decision since the intermediate commands have previously indicated their reluctance to make such decisions. Obviously certain important decisions should be made only by the Chief, particularly when matters of policy are concerned. Unfortunately, experience often indicates that the Chief avoids policy decisions, but becomes grossly over involved in the routine decision making process. The President's Commission on Law Enforcement and the Administration of Justice have criticized local police agencies for failure to establish and communicate policy decisions to their field forces. "The absence of carefully developed policies to guide police officers in handling the wide variety of situations which they confront is in sharp contrast to the efforts taken to provide detailed guidance for other aspects of police operations." Adequate policy formulation and implementation facilitates the decision making process at lower levels in the hierarchy of the bureaucracy. Since decision making at the operational level is particularly vital to the ghetto because of the ever present hazards, it is readily apparent that the ghetto accrues an even greater disadvantage when timely decisions are avoided. Any proposal for change in the organization and administration of the ghetto must insure that the decision making process is maximized at the operational levels of large city government. The ghetto, by its very nature, requires that adequate authority be delegated to encourage the fixing of responsibility for decisions closest to where they must be made--in the ghetto. Failure to make these decisions on a timely basis, can sometimes cause the loss of human life, particularly in the ghetto environment.

Fragmentation And Conflict of Interest

At the present time, the ghetto is rarely, if ever, defined as a separate geographical area of government with its own organizational structure and administrative design. Certainly, responsibility for government of the ghetto is always resident in the office of the Mayor, but as we proceed away from the Mayor and his department heads (down the hierarchy), we note that responsibility for the ghetto is usually fragmented even within one agency. This fragmentation causes conflict of interest and disperses responsibility for the ghetto among different administrators even in one department. It is not unusual to observe a superintendent of the department of sanitation, whose district encompasses only part of the ghetto, deploy more personnel and equipment outside the ghetto in response to pressure groups. Similarly, a careful scrutiny of snow removal operations in a large city will often provide tangible evidence that pressures and influence often determine priorities of resource. Fragmentation and conflict of interest adversely affect governmental service to all residents but is even more detrimental to the residents of the ghetto.

When the area of responsibility of a police command includes only a portion of the ghetto, we find that the volume of request for police service originating within the ghetto require additional police resources to be dispatched into the ghetto, depleting the police coverage immediately outside the ghetto area. As a result, the area immediately adjacent to the ghetto receives little or no police preventive patrol because these units and personnel are constantly being dispatched into the ghetto to handle specific requests for police service and other police conditions. An operational disadvantage accrues to the police who are assigned to commands outside the ghetto when they are deployed into the ghetto. They are usually not familiar with special conditions or policies existing in the ghetto, thus impairing the quality of their decision making process. Certainly, it is not in the best interest of the ghetto residents to have police deployed to the ghetto who are not familiar with their area and its problems. Prompt police response has been shown to be directly correlated to apprehensions according to studies released by the President's Commission on Law Enforcement and Administration of Justice. Police response time is lengthened when police are unfamiliar with the area to which they are dispatched or deployed. As a result, crime prevention and crime solution is not maximized either in the ghetto or contiguous areas.

Administrators whose geographic area of responsibility includes both the ghetto and surrounding areas are inevitably faced with conflict and pressure concerning utilization of available resources. In most cases, these administrators experience great difficulty in commanding, controlling, and coordinating units that are expected to respond to the community needs of the different communities with widely divergent and dissimilar needs. The governmental response to this dichotomy often results in an unusual imbalance of service to the ghetto. The ghetto tends to attract contiguous emergency service units--police, fire, ambulances--into the ghetto while the area outside the ghetto often is in a position to command a greater share of routine governmental services. This imbalance is not surprising since municipal government tends mainly to respond to meaningful long range planning to attempt to eliminate some of the anticipated problems.

Present Personnel Policies

There appears to be an absence of personnel policy relating to the assignment of personnel to the ghetto. In many cases, young rookie policemen are given their first assignment in the ghetto. Even young social workers and school teachers just out of college are thrust into "the jungle" with little or no preparation. Sometimes, the ghetto is used as a punishment assignment for some city workers who have gotten into difficulty with their supervisors. These assignments reflect a lack of appreciation and awareness of the complex problems faced by the young and inexperienced city worker in the ghetto. The technique of using the ghetto as a "punishment tour" creates more problems than it solves and has no merit as a personnel practice.

The assignment of a rookie police officer to the ghetto can be particularly hazardous, both to the officer and to the ghetto. Experience discloses that rookie police officers will make some mistakes, as do lawyers and even doctors, early in their career. When these mistakes are made in the ghetto there is a greater probability that the consequences will be more serious or even fatal--sometimes to the officer and sometimes to an innocent by-stander.

Many police agencies do not use any form of psychological testing process to screen out emotionally disturbed applicants. The police are not unique in this regard since social workers and school teachers are rarely subjected to psychological tests as a condition of employment. Police agencies are resorting to psychological testing more frequently in the last decade and recent research in this area indicates that there will be greater future acceptance and utilization of psychological testing.

Police service in the ghetto is more hazardous, rigorous, and demanding than service in other parts of the city. Present personnel policies do not provide incentives that would attract the most qualified police officers to seek a ghetto assignment. In a sense, the present system is self defeating since most police officers who are motivated toward education and advancement tend to avoid ghetto assignments, if they can. The ghetto generates more arrest activity and court appearances than other assignments, and the ghetto officer is often forced to miss his college classes or promotional study classes. These activities place the ghetto officer who is motivated toward educational improvement and promotional advancement at a serious disadvantage. The officers realize this fact and often attempt to avoid assignment to the ghetto for this reason. Obviously this condition is not desirable and must be changed. The ghetto must be made attractive to the highly qualified police officer. Personnel policies that require ghetto service as a condition prior to promotion and that grant incentive pay for those who qualify for ghetto service would be an initial step toward a solution of the problem.

Current Fragmentary Approaches

Recently, there has been experimentation with several different innovations in an attempt to improve the governmental services in the ghetto. The most common innovation involves operating a "local city hall" from a small store front in the ghetto. Usually, the Mayor assigns a political appointee and a small volunteer group to staff the local city hall. Often, these political appointees have perceived their role, authority and responsibility in a different manner -- depending on many factors, not the least of which is their closeness to the Mayor, and their actual or perceived power within the power structure. The concept of local "city halls" operating out of store fronts has resulted in many serious problems of organization and administration.

Generally, three different managerial models are observed: (1) The political appointee attempts to assume a command or policy role over all city agencies in the ghetto. This role causes conflict, confusion and frustration since the agencies also are responding to their own chain of command in the regular hierarchy of city government. (2) The political appointee attempts to work within the existing organizational and administrative system by routing everything up through the Mayor or City Manager's Office, and then down to the traditional bureaucracy. This approach is closest to the status quo--doesn't make too many waves--but unfortunately accomplishes little or no innovation at the level of execution. The bureaucratic system takes its toll as each level of the hierarchy "nibbles away" at the proposal so that the final implementation of the program or policy often is unrelated to the spirit and intent of the original plan. (3) The political appointee views his role as primarily one of liaison and coordination. He attempts to operate at various levels of the hierarchy in the ghetto in an attempt to monitor programs and coordinate activities pursuant to the original policy formulation. Although this approach appears to be more effective than the others, the city agencies are not structured to conform to the ghetto boundaries and effective coordination; and communications are extremely difficult to attain.

Public administration can justify its existence only in terms of service to people. It appears that the weakest link in the science or art of public administration is found at the operational level during contact with people--particularly people living in the ghetto.

Any proposal for change in organization and administration of the ghetto is a sensitive subject which almost always can be expected to generate both opposition and controversy. The Institute of Police Studies and the Center for the Study of Law and Society, University of California at Berkeley recently released three models for establishing community control over the police. These proposals by nine social scientists included, (1) Control of on-the-beat policemen by means of elections; neighborhood commissions with full or considerable power over the police. (2) The creation of "unions for the policed," who could combat noxious actions by the police by political action. (3) The end of the professional beat patrolman and the creation of a citizen police force.[2] These proposals were termed "irresponsible" by Representative John R. Rarick (R-Louisiana). The latter does not perceive the removal of trained experienced police officers from the beat as assisting in the process of criminal justice.

The proposals for change suggested in this paper are rather orthodox compared to the proposals suggested by the social scientists at Berkeley. Responsibility for the police and other governmental services remains resident in the duly elected head of government while at the same time, the ghetto residents are encouraged and permitted to participate more directly in government of the ghetto.

Meaningful social and other action programs require an inefficient and humanistic governmental structure and administrative design for proper implementation, control and evaluation. The proposal presented in this paper is an attempt to adapt an organizational structure and administrative design that is compatible to the uniqueness of the ghetto and that can effectively and realistically function within the present governmental structure and system. A more drastic innovation and re-organization of city government that requires a new structure, strategy and design would result in years of delay in implementation. The ghetto cannot survive much more delay.

This proposal suggests that there is a valid justification and need for re-defining the ghetto as a special geographical and administrative subdivision of government with its own "project manager" who reports directly to the Mayor. It is emphasized that the proposed re-organization which follows is NOT intended as any form of gerrymandering, nor is intended to alter or change present political, congressional or election district boundaries used in the exercise of the voting franchise. The major intent of the suggested re-organization is to improve governmental services in the ghetto by (1) defining the ghetto as a separate subdivision of government, (2) creating a uniform geographical area of responsibility for all agencies of government in the ghetto, (3) establishing a "project manager" for the ghetto who has the capability and responsibility for coordinating _total_ governmental services in the ghetto, (4) establishing "councils of government composed of ghetto residents who would advise and assist the project manager, (5) coordinating the efforts of existing city agencies into a "task force" approach to problem solving in the ghetto, (6) recommending personnel selection and education standards for city employees in the ghetto--particularly police, (7) operating a coordinated community relations program at all levels of government in the ghetto.

It is recognized that some cities have several ghetto areas that are not contiguous, and that boundaries of the ghetto do change over a period of time. These conditions can easily be adapted to fit within the framework of this suggested re-organization. For those who argue that the boundaries of the ghetto are not readily identifiable, reference to police, fire, welfare, hospital, health, and sanitation statistics should provide a reasonable basis for determination. Any proposal for change in the ghetto should give adequate consideration and recognition to the current problems of fragmentation of resources, duplication of effort, poor coordination and communication, lack of resources on a twenty-four hour basis, and the need for ghetto residents to have a "voice" in government.

The solution is not to be found by providing the police with the resources normally resident in other agencies, but to have the other agencies become operational in the ghetto, even on a limited basis from 5 P.M. to 9 A.M. and on weekends. The ghetto resident knows and cares little about the art or science of public administration. He does know about rats, inefficiency and bureaucracy and police records will often support and confirm his experiences.

The Ghetto: An Entity of Government

In order to improve governmental services in the ghetto and to permit ghetto residents to participate more fully in the process of government, it is desirable to identify the ghetto as a separate geographical and administrative part of city government. Once the physical boundaries of the ghetto have been determined, the geographical boundaries of all city agencies need to be re-aligned in order to conform to the ghetto area. This procedure should result in many advantages to ghetto residents and to the art or science of public administration.

By defining the geographical area of the ghetto, we are focusing the attention of the public and government on the ghetto. The function of governing the ghetto is different, if not unique. The re-alignment of city agencies to conform to the ghetto boundary is recognition that the ghetto requires special governmental services. It appears desirable to group these city units into a clearly defined organizational structure compatible to the area and needs of the ghetto. The special resources required by the ghetto can be furnished to these units so that they can respond, in a meaningful way, to the special problems of the ghetto. Structuring city agency boundaries to conform to the ghetto should also tend to fix responsibility, avoid some conflict of interest, improve coordination and communication, and facilitate combined and joint operations by city agencies. Hopefully, it may pave the way for a specialized "career service" in public administration in the ghetto. Personnel selected for service in these ghetto units will be required to meet higher standards of education, training and motivation. Re-alignment of jurisdictional boundaries to conform to the ghetto will also facilitate the task of the ghetto project manager in coordinating governmental services in the ghetto on a twenty-four hour basis.

The Ghetto "Project Manager" Concept

There appears to be adequate evidence that the traditional organizational structure and administrative design of most large city bureaucracies is deficient in responding to the needs of the ghetto. The concept of a single project manager for the ghetto is not new. A similar concept has been successfully utilized in the management of a complex program both in industry and in the military.

The concept of the ghetto project manager envisions that he will act as a form of OMBUDSMAN for ghetto residents. In addition, he will insure coordination among all city agencies and monitor policy implementation throughout the ghetto. His role will require that the Mayor delegate broad authority to him because initially he will be required to "blast his way" through the red tape of the various levels of hierarchy of all of the city agencies operating in the ghetto. If unable to accomplish the relocation of the family with the rats in their apartment at the lower levels of the Department of Welfare, he must have the "muscle" to call the commissioner at his residence at 4 A.M. and tell him that "the Mayor wants this family moved now." After a few calls of this type, it is surprising how efficient some agencies of government can become. Communication begins to improve and necessary changes are made to improve services.

The project manager concept envisions a small staff working closely with liaison officers from each of the primary city agencies. The re-organization would now permit the staff of the project manager to have a single point of contact with the one official of each city agency charged with the direct responsibility for all the ghetto units in his agency. The size of the ghetto and the complexities of the problems of the ghetto will determine the number of sub units within each city agency in the ghetto.

In order to be effective, the project manager should report directly to the Mayor and should have unrestricted access to him on all policy matters. He will play a vital role in recommending policy changes to the Mayor for subsequent implementation by all city agencies in the ghetto. He will also observe and report on the manner that the Mayor's policies are actually implemented in the ghetto and make recommendations for improvement. He will actually coordinate this policy implementation by all ghetto agencies.

Certain staff and functional supervision responsibilities over city agencies could effectively be delegated to the project manager by the Mayor. For example, community relations programs, inspectional services and some enforcement programs requiring joint agency operations could very well be placed under the staff supervision of the project manager.

Participation By Ghetto Residents

The creation of a ghetto citizens policy advisory council of government should permit the ghetto residents to participate democratically in the formulation and implementation of policy.[3]

The council would be geared to reinforce those human activities that (1) increase the individual and group's awareness and responsibility for as much of the total ghetto government as possible, (2) enlarge the experience of interdependence with others and with government agencies and (3) increase the control that ghetto residents have over their own destiny.[4]

Since the ghetto project manager reports directly to the Mayor, the citizen council would always have an open channel of communication directly to the Mayor. The council would be encouraged to participate in policy formulation and evaluation but responsibility for government would continue to be vested in the Mayor or duly elected head of government. Although this concept falls considerably short of the recent Berkeley proposals, it has the advantage of greater possibility of acceptance at this time. Politics is still the art of the possible, and progress that is feasible and reasonable stand a chance of success. The Berkeley proposals are not new and have been suggested by many other organizations. Total control over police policies in the ghetto by ghetto residents (or any other group) creates a serious and undemocratic principle of government. Our society is highly mobile. Our transportation systems, business and commerce require interaction with the ghetto. The ghetto is not an island. Given total control over police policies, ghetto residents may perceive their policies as fair and equitable to them. Other citizens who must frequent or pass through the ghetto may perceive the ghetto police policies as discriminatory or failing to insure their safety. The Berkeley proposals for change appear to give consideration to the social aspect of change without regard to the technological aspect of change. Technology and humanistic police practices are both necessary in comtemporary police agencies. It is difficult to perceive how the Berkeley "citizen police force" could effectively utilize current technology in the field of scientific criminal investigation. A citizen police force is often not humanistic. Experience with various vigilante groups reflects this deduction only too well. Law enforcement in today's complex society requires a professional with a college degree. To revert back to untrained citizen police volunteers would be a disservice to ghetto residents.

Task Force Approach

Problems of the ghetto often require that the combined resources of several city agencies be brought to bear in a coordinated and sustained effort to effect desirable change. Conditions in one slum building often require concerted action by police, fire, health, welfare, sanitation, youth, and housing and building agencies, if the desirable change is to be accomplished. Experience discloses that it is virtually impossible to achieve this necessary coordination of effort within the existing structure of a large bureaucracy.

The project manager, who has a single point of contact in each city agency in the ghetto, is in a better position to coordinate the activities of all the agencies toward a common purpose or goal. The citizens council will often identify a specific community problem to the project manager that requires a combined governmental response. A typical problem might involve the sale of illicit narcotics and alcohol to teenagers. The base of operations and sales is located directly across the street from a public school in a slum tenement occupied entirely by welfare recipients. The ghetto project manager may find it desirable to constitute a task force composed of police, youth, housing and buildings, education and welfare in order to respond effectively to the total problem. It would not be unusual to find that the services of the fire department might be requested as the task force probes deeper into the problem.

The utilization of the task force concept seeks a coordinated and combined solution to some of the immediate problems of the ghetto by pooling the resources and expertise of several agencies toward a common goal. There is little or no coordination of effort between the various city agencies without the project manager. The latter can be of value in improving both vertical and lateral communication in the ghetto -- particularly in the larger cities with a population in excess of one million. It is in the larger cities that the process of government and public administration becomes impersonal and fails to remain in meaningful communication with ghetto residents, particularly.

Personnel Selection and Screening

By defining the ghetto as a separate governmental unit, it is possible to establish special policies for assignment of carefully selected and educated personnel to the ghetto. This assignment would be especially relevant to police, education, and welfare personnel seeking assignment to the ghetto.

The ghetto often requires a worker with a higher level of maturity, experience and education in order to function effectively. These requirements pertain, particularly to the police officer who must function in such a wide range of human behavior and activities. Personnel policies must be formulated that will attract and retain the most qualified police officers in the ghetto. The practice of assigning new, inexperienced police officers directly to the ghetto is not in the best interest of the police, the officer, the ghetto or government in general. Reasonable levels of experience should be attained before a police officer qualifies for a ghetto assignment. Depending on the specific city and police department, this experience level may require from one to three years of police experience prior to qualification for assignment to the ghetto.

Educational experience including field practices should be considered in determining the appropriate qualification time for assigning a police officer to the ghetto. Two years of appropriate police and related college education coupled with a maximum of one year of field experience would be a reasonable standard for assigning police to the ghetto, providing valid psychological tests are also employed.

A battery of tests that are said to be ninety-five per cent determining the performance of prospective patrolmen have recently been developed by the University of Chicago's Industrial Relations Center.[5] The tests were prepared and validated as part of a federally-funded project, in cooperation with the Chicago Police Department. The battery consists of 17 tests that measure the applicant's intellect, behavior and motivation and takes four hours to administer. Valid psychological and other tests should be used on all police applicants. They should certainly be used on all police prior to assignment to the ghetto.

Police service in the ghetto must be presented as a challenge, and not a punishment. Personnel policies must stress successful ghetto experience as a prerequisite to promotion to supervisory and command positions. Incentive pay for proficiency in ghetto police service may be used to partially reward those who qualify and meet the higher standards required for ghetto police service. In the final analysis personal growth, self-actualization and a sense of achievement will be the true rewards for ghetto service.

The ghetto is unusual and different and requires certain organizational and administrative changes and adaptations to make public service more responsive to the needs of the people. Any desirable change must involve total governmental service since it has become increasingly evident that the resources required are not, and cannot, be resident in any one agency.

The nature of most ghetto problems require a well coordinated multiple agency approach if other than fragmentary solutions are to be obtained.

The proposed changes and re-organization presented in this paper probably fall short of the major surgery that may eventually be required in future police and public administration. However, change and progress often must come about gradually. Although the suggested re-organization is not as bold and dynamic as one might hope, it has the advantage of being capable of some degree of acceptance and implementation in our time.

This moderate proposal for change could result in some limited progress at this time, and perhaps create a more favorable environment for future change of a more dynamic nature. As a first step, priority should be given to the immediate commitment of more agencies and resources into the ghetto from 5 P.M. to 9 A.M. and ON WEEKENDS. The ghetto is too important to be abandoned to the police.

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NARCOTIC ADDICTION - A DISEASE OF ASSOCIATION THE GERMS - APOSTLES OF POT

By

Howard A. Katz*

Contrary to popular belief, narcotic addiction and drug abuse is not acquired through "pushers". Instead, one becomes a drug user by associating with friends already involved in the use of illicit drugs. Narcotic enforcement officers often refer to narcotic addiction as a disease of association because illegal use is spread from one individual to another, each being closely associated with the other. It is extremely rare to find a user who is not also a seller. According to the law of supply and demand the illegal supply would be dried up by removal of drug users from the streets.

Why are users also sellers? Heroin is so expensive that addicts must sell heroin and commit other crimes just in order to support their own narcotic habit. However, this is not the case with those who use marijuana and pills. Marijuana users because of their pseudo-religious subculture assume a MISSIONARY COMPLEX and become APOSTLES OF POT, spreading the use of marijuana with a "chain letter" like effect. They have deluded themselves into a false sense of selfrighteousness, believing that they have a duty to convert others to drug use on the principle of personal liberty and the pursuit of happiness. Unfortunately, marijuana users obtain considerable moral support from those misguided and misinformed academicians, psychiatrists, psychologists, attorneys, judges, public officials and others who make public pronouncements about the harmlessness of this drug and express unwarranted sympathy or apologies for those "nice college kids" who get arrested for smoking just ONE marijuana cigarette.

There are many reasons why our young people are getting involved with narcotics and drugs. Peer pressure is the primary reason. Curiosity and experimentation often lead to drug addiction. Hostility toward authority or society can be a contributing factor. To many young persons, the use of drugs is a status symbol. Eventually, drug use becomes a means of escaping reality.

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How serious is this problem? Narcotic addiction and drug abuse is one of the worst social problems that has ever confronted us. It must be solved, not by legalizing marijuana, but by preventing its spread and by punishing those who insist upon breaking the law. This problem is now out of control on the west coast, in New York and in many of our larger metropolitan areas. In many of these places, drugs are being widely used in the junior high schools and have already found their way into the elementary schools as well. Narcotic addiction and drug abuse are on the increase in all parts of our nation. Last year Federal customs and narcotic agents confiscated 73,000 pounds of marijuana which is estimated to be less than ten per cent of the total smuggled into the U.S. There are now 24,000 known heroin addicts in California, and many narcotic enforcement officers in that state believe that the total number is actually closer to 40,000. The California legislature appropriates more than $100,000 annually just for State Bureau of Narcotic Enforcement undercover operations. There are more than 500 peace officers and state agents assigned exclusively to narcotics enforcement in that state. Fifty per cent of the crime in California is committed by addicts who make up twenty-five per cent of the prison population. Officers will make 139,000 juvenile drug arrests in 1970 in California alone. Recently the committee on drug abuse of the Parent League of Houston (Texas) found that teen drug use was "a brush fire that is spreading at an alarming rate" among the youngsters of that city.

Why did this problem get out of control? To begin with, the medical profession and pharmaceutical manufacturers have made ours a drug dependent society. We take pills to put us to sleep, to keep us awake, to lose weight, to gain weight, to produce birth, to prevent birth, to pep us up, to calm us down et cetera. Physicians often prescribe three or more times the number of pills needed in any one prescription. Pills are often prescribed when none at all are really needed, simply because the doctor fears that his patients will question his medical competency or feel cheated if he fails to make out a prescription. With an estimated 30 million adults on tranquilizers, 10 million taking weight control pills, and 20 million adults using barbiturates, it is not difficult to see why our young people find it easy to rationalize their own drug use.

FALSE PROPHETS among us are responsible for a type of "speak easy" social acceptance of illicit drug use. Public pronouncements alleging that marijuana is harmless such as those made by former FDA Commissioner James Goddard and by former National Science Foundation Director Leland Haworth have resulted in considerable public apathy. A number of sociologists, psychologists, and medical practitioners have alleged that marijuana at its worse is no more harmful than alcohol, but that jailing its users is far more harmful. While falsely charging law enforcement with lacking proof that marijuana is dangerous, they conveniently fail to point out that their own allegations are philosophical rather than scientific. Apostles of pot like Timothy Leary and other academicians have literally caused our nation to "go to pot".

The United States Supreme Court and some state courts have handed down decisions on probable cause, searches and seizures, usable quantity, confessions, informants and the right of discovery by defendants. Although, generally, law enforcement has been able to live with these restrictive rules, they have rather effectively "handcuffed" narcotic enforcement officers. In crimes against persons or property there is always a complaining victim, but such is not the case in narcotic offenses. There can be no question that the Justices of the Supreme Court have a duty to be concerned about the protection of civil liberties and rights. Unfortunately, however, many of their decisions on the rights of criminals have been based on sociological theory, and NOT on REALITY. The Supreme Court is so remote from the jungle of the narcotic addict that it has become more concerned about the rights of the drug peddler than the right of the coming generation to be protected from introduction to illicit drugs. As a result, the drug pusher is now practically free to ply his trace with little fear of apprehension. For example, in several states narcotic search warrants were made useless through rulings such as the Gastelo decision of October 30, 1967, wherein the California Supreme Court prohibited narcotic officers from executing search warrants by unannounced forcible entry.[1] Because this ruling allowed the suspect the time to flush his contraband down the john, narcotic searches were usually limited to those made incident to an arrest by secret grand jury indictment. Finally, on June 23, 1969, in the Chimel decision, the U.S. Supreme Court delivered the coup de grace to narcotic seizures by restricting searches to the area within immediate reach and open view of the arrestee.[2]

Responsible individuals must refute those fools who claim that marijuana is no worse than alcohol, and who advocate that it be legalized or that at least the penalties for its use should be repealed. To begin with,marijuana is not alcohol and therefore comparisons have no validity. Even if they were comparable, there is absolutely no reason why society should condone the use of another intoxicant, one that would multiply the staggering number of tragic problems resulting from the indiscriminate and excessive use of alcohol. Because a single marijuana cigarette can intoxicate several users at the same time, any use of marijuana is excessive and cannot be condoned, just as we do not condone the excessive use of alcohol. Most persons do not drink to get intoxicated, but all marijuana users take "pot" to get "high".

The MERCK INDEX - 7th EDITION monograph reflects that a dose of 120 mg. or more of Cannabis (Marijuana) ingested or inhaled as smoke, may cause euphoria, delerium, hallucination, weakness, hyporeflexia, drowsiness;overdose may cause coma and death; prolonged use may produce mental deterioration and habituation.[3] YOUNGKEN'S TEXTBOOK OF PHARMACOGNOSY warns that Cannabis acts upon the central nervous system, especially the higher physic centers,producing mental excitement and exhilaration; in larger doses it produces delerium with hallucination followed by sleep interrupted by dreams, marked weakness and mental depression.[4] I. C. and R. N. Chopra, two reputable researchers from India reporting on the use of marijuana in that country found: "Fits of aggressive mania are not infrequently observed after indulgence in Cannabis, particularly by smoking...The studies carried out in mental hospitals and in prisons show that not infrequently addiction to Cannabis preparations was the immediate cause of sudden crime such as murder."[5] Marijuana, although previously used in religious ceremonies in India, was found to have so many negative effects that it was outlawed by the Indian government in 1959.[6] A few years ago Nigeria made the production or sale of marijuana punishable by death after a series of destructive riots attributed to marijuana induced violence.[7] Edward R. Bloomquist, M.D.,Associate Clinical Professor of Surgery at the University of Southern California School of Medicine, who has researched marijuana extensively, presented the following facts about this drug to the 1968 Training Conference of the California Narcotic Officers' Association: (1) It is a great deceiver (2) It is a terrific initiator, (3)It makes UNREALITY a very acceptable experience, (4) It is a deterrent to progress, (5) It gets the unstable personality really "hung up", (6) It removes inhibition,(7) It turns marginally acceptable individuals into SOCIAL VEGETABLES and (8) Its users are peddlers.[8] Dr. Bloomquist also could have pointed out that it has no present medical use, and it often leads its users to try more potent drugs.

While alcohol and marijuana are not comparable, drunks and drug users are alike in one respect: PERSONALITY DEVIATION is symptomatic of those who can get their "kicks" only by getging "tight" on alcohol or "high" on drugs. Therefore, those members of the intellectual community who advocate the legalization of marijuana are really INTELLECTUAL IDIOTS. There must be millions of people in this country who refrain from its use only because of their fear of getting caught and arrested. Legalization would not merely remove this fear, but it would most certainly encourage widespread use. It has been estimated that there are more than six million alcoholics in the U.S. and thus we can ill afford an equal or larger number of "weed freaks".

For years narcotic addiction and drug abuse was primarily a problem associated with ethnic and racial minority groups, and the so-called criminal element. Those convicted of using or possessing marijuana were routinely sentenced to state prisons, and there was no hue and cry for the lessening of penalties or legalization. However, when the use of marijuana and pills became popular with the youthful members of our affluent society, a considerable number of weepers and wailers suddenly crawled out of the woodwork. When the sons and daughters of the most prominent business and professional people now appear in court on drug charges, judges often find phony excuses for dismissing these cases in order to keep these drug users from receiving a conviction record. If unable to avoid a conviction the courts, rather than requiring any jail time, often place these individuals on probation. Our society cannot justify a double standard of justice that condemns the drug user from a deprived neighborhood to jail or prison while merely admonishing the drug user who happens to come from a more fortunate background. For example the California Legislature in 1961 enacted a mandatory 1-10 years prison sentence for those convicted of possession of marijuana. Because so many judges refused to abide by this law, the legislature in 1968 took them off the hook by amending the law to give judges the option of handling first offenders as misdemeanants, thus making it possible to give drug offenders probation without any jail time.

Many sociologists and psychologists have expressed deep concern for those "nice college kids" who keep getting arrested just for smoking only the ONE marijuana cigarette. They completely ignore the fact that students who smoke pot knowingly violate the law of their own volition. They propose that we do away with the penalities for possession or use while maintaining the penalties for sales. Unfortunately, there is only one way that the narcotic enforcement officer can get at the pusher--and that is through the user who has been arrested and in return for receiving a lighter sentence is willing to help narcotic officers. The goal of law enforcement is to dry up the illegal supply of drugs. Charles O'Brien, the Chief Deputy Attorney General of California, informed the 1968 Training Conference of the California Narcotic Officers' Association that there is little, if anything, that can be done for those already on drugs or narcotics. They are, for all practical purposes, already lost to their families and to society. Mr. O'Brien urged that law enforcement concentrate its efforts toward protecting the coming generation from introduction to the use of drugs and narcotics.

In attacking narcotic addiction and drug abuse, there are good grounds for concentrating on the marijuana problem. Today we find ourselves in a gray area between widespread use and suppression. If this situation is allowed to continue,the trend toward widespread use will become irreversible. Marijuana must either be legalized or its use must be vigorously suppressed. The case of suppression is much stronger than the case for legalization. While it cannot be said that all marijuana users will try heroin, it is a well-known fact that almost all heroin users first started out on marijuana. After prolonged periods of use, the sought after effects of marijuana may become prosaic. Therefore, its users often turn to more dangerous drugs such as "speed" (methedrine), barbiturates or opiates. For example,recently there has been a sudden comeback of opium use because some intellectuals among marijuana users have begun to mix hashish with opium. This foolish practice will certainly increase the amount of opiate addiction.

The activists of the new left have adopted a subcultural life style which includes the use of marijuana and other drugs. Through the use of marijuana, these radicals hope to gain new and youthful adherants to their political philosophy and to achieve their avowed goal of subverting our institutions and overthrowing the establishment. There is ample empirical evidence that those under the influence of marijuana frequently behave in a very bizarre or violent manner.[9] Society must not be misled into believing that this drug is not dangerous and the trend toward the permissiveness of its use must be reversed.

Recently the American Civil Liberties Union opened a campaign against the penalties for marijuana use.[10] The National Board of the ACLU issued the following statement: "The use of marijuana involves protected constitutional rights including the right to privacy. Intrusion by government on such a constitutionally protected act places a burden of justification on government. That burden has not been met with respect to federal and state laws which impose severe penalties on the use and possession of marijuana. "Hopefully, the courts will turn back this deceptive means of legalizing marijuana. If the ACLU and other advocates of legalization succeed, the coming generation will surely be turned onto marijuana and other drugs.

How can we halt the spread of drug abuse and narcotic addiction? How can the coming generation be protected from the introduction to illicit drug use?

Treatment and rehabilitation programs have been most notable for their failures, and the state programs in California and New York have been unsuccessful in rehabilitating addicts. Worse yet, these programs are being used by an increasing number of non-addict criminals to escape prison commitments. The British clinic program appears to be falling flat on its face.[11] Self-help programs like Synanon, Daytop Lodge, and Teen Challenge have claimed some measure of success, but no one really knows how successful they are because they do not have a follow-up program for the addict once he leaves these organizations. Significantly, Synanon absolutely refuses to permit the State of California to administer anti-narcotic tests to parolees who have entered this program. The ENIGMA OF THE DRUG ADDICT is his frequent relapse, even after prolonged periods of abstinence. Unless an extremely successful chemical antagonist is developed, we may be forced to permanently isolate the confirmed addict from the rest of society.

The pharmaceutical manufacturers are not likely to curb promotional programs directed toward physicians and designed to encourage the mass dispensing of pills. Nor will they stop shipping millions of pills to phony drug wholesalers in Mexico. These drugs quickly and illicitly find their way back into this country, often in "keg" quantities of 40,000 pills. The sad fact is that as a result of this practice, youngsters can purchase these pills much cheaper on the street corner than what their parents have to pay for such drugs at a pharmacy. Doctors are not likely to stop prescribing pills when they are not needed. On the contrary, today we find an ever growing number of self-designated weight control specialists who have patients lining up for a three minute, ten dollar office call. Their offices have literally become amphetamine warehouses and where state law permits, these mercenary leeches do their own profitable dispensing.

Many prominent individuals and organizations are calling for public school programs on drug education. Unfortunately, there is little reason to believe that drug education programs will be any more successful than similar programs on alcohol and tobacco. Drug education programs will not be effective as long as youngsters are frequently exposed to contact with drug users.

Leniency and unwarranted sympathy have permitted drug users to continue to infect others. Those who claim that enforcement will not work should be reminded that prior to the passage of the Harrison Narcotic Act in 1914, there were several hundred thousand opiate addicts in the U. S. Vigorous enforcement of that Act greatly reduced the number of addicts in this country.[12] By removing the drug users from the streets, the demand for illicit drugs will be reduced if not eliminated, thus driving the pushers out of business. From an emotional viewpoint, the cure may seem far worse than the disease. Realistically, however, severe measures and vigorous law enforcement offer the best hope for containing and eventually eliminating the problem of narcotic addiction and drug abuse. Society cannot afford to keep wasting time and money on unsound or unsuccussful programs, and on ineffective or half-way measures.

Law enforcement must be given more support in its fight against narcotic addiction and drug abuse. The Supreme Court, on the basis of reality instead of unsound sociological theories, must reverse its restrictive interpretation of due process in narcotic offenses. The right of the coming generation to be protected from introduction to drugs is paramount to the rights of narcotic offenders. The conflict between the due process rights of narcotic offenders and the general welfare of the public must be resolved in favor of the public welfare. The final irony of interpreting the Bill of Rights as giving license to unrestrained individual freedom and sanctuary to law breakers is that the Constitution could thus become the instrument for the destruction of social order. Law enforcement must be given at least an equal chance against the drug offenders who now have all the advantages, and are practically free to use and sell illicit drugs with little fear of apprehension.

Enforcement of our drug laws will continue to be ineffective until, (1) it becomes easier to apprehend and convict the drug offender, (2) the drug user realizes that he has a good chance of being apprehended, (3) those arrested will be brought to justice swiftly, (4)conviction on drug charges will certainly result in some "painful" sanctions, (5) the public supports vigorous suppression of illicit drug use.

Some states already have adequate laws to deal with this problem, but the criminal justice system does not utilize all of the measures available. Additional laws and sanctions must be enacted in those states having inadequate statutes. For the sake of deterring the coming generation from using drugs the following measures are recommended, and should be utilized routinely and indiscriminately.

1. DENY BAIL TO PERSONS ARRESTED FOR DRUG OFFENSES. Most criminal acts are committed by individuals. However, drug offenses are committed as a group activity and drug users are constantly getting additional persons involved. As soon as he is released on bail, the drug offender usually returns to the company of his friends, thereby continuing to use and sell the same drugs which led to his arrest. He will then be more careful in his illicit activities, thus making it more difficult for narcotic enforcement officers to re-arrest him. PREVENTIVE DETENTION or detaining narcotic defendents without bail would not appear to be unreasonable since drug offenders should be deemed dangerous to the general public welfare. Denial of bail would also guarantee a speedy trial--Amendment IV of the Bill of Rights--because no attorney would want a client to linger in jail too long while awaiting trial.

2. MANDATORY MINIMUM NINETY (90) DAYS JAIL SENTENCES FOLLOWED BY A MINIMUM OF THREE (3) YEARS PROBATION FOR ALL PERSONS CONVICTED OF USE OR POSSESSION OF MARIJUANA, DANGEROUS DRUGS OR NARCOTICS, INCLUDING FIRST OFFENDERS ARRESTED FOR POSSESSION OF ONLY ONE MARIJUANA CIGARETTE AND REGARDLESS OF THE DEFENDANT'S BACKGROUND OR FAMILY REPUTATION. TERMS OF PROBATION SHOULD REQUIRE THE PROBATIONER TO SUBMIT TO SURPRISE SEARCHES OF HIS PERSON, PROPERTY, MOTOR VEHICLE(S) AND RESIDENCE PREMISES BY PROBATION AND/OR NARCOTIC OFFICERS AND TO PARTICIPATE IN APPROPRIATE ANTI-NARCOTIC TESTS. These mandatory minimums would still give judges the option of imposing stiffer penalties including commitment to state prison if deemed appropriate. The present practice of merely granting probation to defendants with affluent backgrounds only serves to encourage widespread drug use. Certainty of jail sentences would deter the use of drugs, and at the very least would remove those convicted from the illicit drug market for the period of their incarceration.

3. REGISTRATION OF ALL PERSONS CONVICTED OF DRUG OFFENSES. All persons convicted of use, possession or sale or drugs or narcotics, possession of narcotic paraphernalia and all other drug offenses should be required to register as drug offenders with the law enforcement agency having jurisdiction over their place of residence. Failure to register as drug offenders with the law enforcement agency having jurisdiction or to notify the appropriate agencies of a change of address should be deemed a misdemeanor offense. The frequency of relapse to use registration provides law enforcement with a vital tool of control. Knowing that registration will be required upon conviction will deter many from using drugs or narcotics.

4. MANDATORY SUSPENSION OF MOTOR VEHICLE OPERATOR'S LICENSE. According to the February 1969 issue of The Police Chief, a recent study conducted in Seattle, Washington indicated that the driving and motor vehicle accident records of drug users compared unfavorably with the records of non-users. License suspensions will remove some of these dangerous drivers from public roads and deter others from drug use.

5. CONFISCATION OF MOTOR VEHICLES, AIRCRAFT AND VESSELS USED TO TRANSPORT DRUGS OR IN WHICH DRUGS WERE USED. Confiscation of automobiles would be a very "painful" experience for most young people and therefore would act as a deterrent to the use of drugs. There is a growing trend to use aircraft in the smuggling of large amounts of drug and narcotics. Lien holders should not be allowed to recover confiscated vehicles. The state should assist these Lien holders in civil suits filed to recover amounts still owing on confiscated vehicles.

6. WHEAT STRAW PAPER AND OTHER PAPERS USED IN MAKING MARIJUANA CIGARETTES TO BE DESIGNATED NARCOTIC PARAPHERNALIA SUBJECT TO MISDEMEANOR PENALTIES.

7. DEATH PENALTY OR MANDATORY LIFE IMPRISONMENT FOR PERSONS CONVICTED OF SALES OF DRUGS OR NARCOTICS WHO ARE NOT USERS THEMSELVES AND FOR USERS INVOLVED IN LARGE SCALE COMMERCIAL SALES ACTIVITIES.

8. REQUIRE PRESCRIPTIONS FOR CODEINE COUGH SYRUPS AND ALL OTHER PREPARATIONS CONTAINING NARCOTICS OR DANGEROUS DRUGS.

9. LEGISLATION PERMITTING IMMEDIATE INCLUSION OF NEW DRUGS UNDER NARCOTIC AND DANGEROUS DRUG LAWS AS SOON AS THESE HAVE BEEN DEEMED AS DANGEROUS DRUGS BY STATE HEALTH OFFICERS.

10. SUSPENSION OF STUDENTS AND TEACHERS PENDING DISPOSITION OF DRUG CHARGES ON WHICH THEY HAVE BEEN ARRESTED. DISCHARGE OF TEACHERS ADVOCATING ILLICIT DRUG USE. Those arrested on drug offenses will be kept away from other public school or college students at least during school hours. They should not be re-instated unless found innocent of the charges against them. Students and teachers convicted of drug charges should be terminated. College teachers and public school teachers should be discharged for advocating illicit drug use. Public school teachers who use drugs illegally or advocate their use should have their teaching credentials revoked. Any person who encourages his students to break the law has no business in the teaching profession.

Admittedly these are extreme measures for coping with the spread of narcotic addiction and drug abuse. Many moderate measures and programs have been tried and employed, and none have succeeded in turning back or even in containing the spread of drug use. As long as those already involved continue to infect others and as long as we continue to employ half-way and ineffective measures, the prognosis for this DISEASE OF ASSOCIATION appears extremely bleak.

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A MODERATE APPROACH TO THE MARIJUANA PROBLEM

By

DONALD J. WEISENHORN*

Since 1937, when the federal laws regulating narcotics were amended to include marijuana, the traditional emphasis in regulation of all drug use has been through the criminal justice system. The states, following the federal example, have generally classified marijuana as a narcotic. The states within existing law enforcement agencies and the larger municipalities have created special narcotics law enforcement details. Even hospital-type treatment has been provided largely through criminal proceedings.

In regard to marijuana, specifically there has been an undeniable increase in marijuana arrests in the past ten years. Besides the increase in use, there seems also to be a tendency for increasing numbers of younger persons to experiment with this drug. An inquiry conducted by the news staff of station KTRK[1] in Houston, Texas in early 1968 found that 20% of over 200 students interviewed (ages 12-20) had used some form of illegal drug. Forty percent said they had been in situations where they had an opportunity to use drugs and 56% knew others who were using drugs. A second and more comprehensive study conducted in San Mateo County California[2] using 23,469 subjects from seventh grade through high school found in 1969 nearly 50% of the boys and about 40% of the girls admitted using marijuana, LSD, or amphetamines singly or in combination in the past year. The growth in volume of marijuana and other drug use as well as the apparent trend toward starting drug use at an earlier age has touched off a variety of responses. Essentially these responses fall into three categories which may be referred to as traditional, liberal, and moderate.

Those who approach the problem of coping with the marijuana traffic from a traditional standpoint emphasize strengthening those controls which we have had since 1937, i.e. enlarging enforcement staffs, increasing prosecution efforts, and modifying existing laws to provide for heavier penalties

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*Donald J. Weisenhorn, Assistant Professor of Sociology (usually in confinement rather than on probation or parole.) While some attention is paid to prevention through education, discussion groups etc., the traditionalists place their faith in increased effectiveness by application of criminal sanctions. It is the author's contention that this emphasis is a costly and dubious route. Costly not only because of the price of hiring and training more enforcement manpower but the impact that this addition of manpower would have on the total criminal justice system. At present the criminal justice system is suffering from an acute shortage of manpower in all aspects of the continuum. Increased enforcement manpower and intensity of enforcement will produce a larger backlog in the prosecutor's office, the court docket, the county jail, and state correctional agencies. The President's Crime Commission of 1966 found that extensive delays in handling and disposing of cases due to lack of manpower and space was a basic problem in the criminal justice system. Augmenting drug units among enforcement bodies will only aggravate that problem.

A second aspect of the traditionalists' approach is their reliance on the value of confinement. This faith must be questioned in the light of the high recidivism rates among drug users and public drunkenness offenders who have been previously confined. The two former groups are and have been confined fairly routinely in hospital, jail,and prison yet are numbered among the offender groups most likely to repeat their offenses. Admittedly the alcoholic and drug offenders are more likely to be physically dependent upon these substances and thus can be expected to recidivate more frequently than the marijuana user. Yet the jails and prisons of this country are generally suffering from crowding, obsolescence,and lack of depth in treatment program. A heavy influx of marijuana users can be expected to further overtax these facilities,and the overall effectiveness of confinement as a means of curtailing marijuana use is yet to be proven.

A second approach (the liberal group) which seems to be emerging, centers its arguments around legalization of marijuana. This school of thought focuses on the fact that research up till now indicates (a) marijuana has not in itself been demonstrated to produce either physical dependence or to cause any organic damage to the body over a prolonged period of time; (b)while some marijuana users go on to use of harmful drugs, there are other marijuana users who function quite adequately in terms of interpersonal relationships,employment, family duties, etc. and who either do not "graduate" to other drugs or perhaps even drop marijuana after some experimentation. Since criminal sanctions pertaining to marijuana are being so heavily flaunted, this school draws a parallel with the Prohibition Era and the unsuccessful attempt to ban alcohol. Hence since a significant number of youngsters want legal access to "pot" and its effects are not proven to be even as harmful as alcohol, let the younger set have marijuana just as we have permitted ourselves to have alcohol.

This approach presents some problems which need serious consideration. First of all, marijuana research in terms of its long-term effect still has far to go. The premature approval of such substances as thalidomide and calcium cyclamate should be sufficient warning to us not to use "harmless" as a description before its use is warranted by thorough research. Secondly, the legalization of alcohol by the repeal of prohibition has saddled society with a host of problems which we still have not conquered. Alcoholism remains incurable, it has cost numerous losses of life and destruction of families, and it poses one of our largest public health problems. Can we with so little data at hand really afford to sanction marijuana usage risking the possibility of establishing a new public health problem firmly rooted in the commerce, agriculture, and revenue sectors of society? (Consider that if the present drive to drastically reduce cigarette smoking is successful, a significant economic problem will have been created for tobacco growers, processors, and distributors, not to mention the loss of tax revenues that state and federal governments have long since become dependent upon.) The other problem engendered by legalization is that we know that some people who use marijuana become so psychologically dependent upon this and other drugs as to become dysfunctional and dependent upon others for support. Legalization could be expected to extend availability to many potential marijuana users who are at present not willing to violate the law to try it. Some of these will not be successful in incorporating marijuana into an otherwise useful and productive life.

Obviously neither of the foregoing approaches sets well with the author. While a solution cannot be promised by adoption of the third or moderate approach, at least some of the pitfalls in the other two approaches can be modified if not entirely avoided.

First of all, the tradition of viewing all aspects of the marijuana problem as a crime problem must be re-evaluated.

When one uses marijuana alone or in a group, he is at worst, gambling with his health. Neither the needs of the user nor the safety of society are adequately served by routinely bringing the user into the criminal justice system. Thus possession or use of small quantities of marijuana should no longer be the focal point of enforcement efforts. This has some precedence in the way other legally controlled substances are handled. Antibiotics and other prescription type drugs may not be sold without a physician's prescription. Nevertheless, large numbers of people obtain, keep, and use these drugs without a prescription in violation of the law. Misuse of antibiotics etc. produce tragic results in some instances, yet the law has not found it necessary to tap wires, to raid homes, etc. to arrest possessors and users of antibiotics for circumventing the prescription laws. We have learned to tolerate a certain amount of law violation simply because it is not feasible to maintain extensive enforcement in this area. It is suggested that a perusal of our total crime problem and our present law enforcement needs makes these raids of doubtful justification.

Law enforcement efforts should be concentrated in the area of curbing unlawful importation of marijuana. At present it appears that the domestic varieties of the cannabis plant contain relatively low concentrations of THC. Varieties from Mexico and the Middle East seem to be the ones with which we must mainly concern ourselves, and this suggests greater efforts to intercept smugglers. This means enlarging co-operative efforts with law enforcement agencies in other countries, greatly increasing our enforcement personnel abroad and at international gateways, and increasing frequency of search of incoming autos, planes, etc. Our recent experience with the near disasterous "Operation Intercept" need not characterize all future saturation efforts as equally alienating to our foreign and domestic relations. Better planning and design of bridges, customs stations etc. to provide for processing large masses of traffic simply requires more disciplines than law enforcement to plan the job. Systems analysts, materials handling engineers, architects, and others whose experience is related to this problem need to be convened with enforcement personnel to develop more efficient gateways.

Prevention efforts must be increased. Education efforts are already widespread but are too often planned and executed by an older generation who tend to tailor these efforts along lines which impress middle-aged non-users rather than youthful potential users. Some public education efforts have been marked by false or greatly exaggerated data. This must certainly be avoided. Education efforts must concentrate on what facts we have and on whole truths. Our persistence in speaking only of marijuana users who go insane or become hard narcotic users have left our youth to discover the rest of the story for themselves i. e. those who tried "pot" and got nothing out of it, those who smoked and quit,and those who go on smoking marijuana without becoming social casualties. Then our so-called prevention efforts are exposed for the panicky, half-truths that they are. We must face the fact that our children are in contact with more marijuana users than our generation has ever known.

For example, the cause which the teetotaller champion is irreparably damaged when he begins telling our generation that the use of alcohol will most certainly lead to skid row. Why? Because you and I know too many drinkers who are not alcoholics. We are amused at the teetotaller's naivete and conclude that since he is opposed to drinking he can only be relied on to discuss the worst aspects of drinking. Is it any wonder then that so many efforts to curb drug abuse are greeted with cries of scorn and ridicule from our knowing children? Discussion with our youth rather than preaching at them will go further toward prevention, as well as strengthening our reliability in the eyes of our children.

Finally, we must encourage expansion of honest and competent research efforts into the whole spectrum of drug use. We have so far to go toward improving the lot of the human race. Wouldn't it be ironic if we finally located a solid cure, say for leukemia, buried in the molecular structure of cannabis?

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ROLE THEORY: EMPHASIS UPON ROLE CONFLICT*

By

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The concept of "role" has been utilized with increasing frequency in the past few decades by sociologists, psychologists, and anthropologists--although not always with the same meaning even within the same discipline. The concept has been used primarily in an abstract manner with the inference that all would understand the dynamic interaction. Recently, the concept has been accepted as having research possibilities for empirical and experimental studies.

In 1954 Sarbin's published review of 137 references to role theory during the years 1889-1954 was based upon the proposition that the value of a theory can be assessed only through empirical verification of hypotheses drawn from the theory.[1] As a result of review, Sarbin concluded that the studies provided some evidence for the utility of the theory.

Role theory developed as the result of the work of independent investigators who "discovered" the need for concepts such as "self", "role", and interaction". James M. Baldwin, G. Stanley Hall, and William James contributed to the developing theory by placing the self on an empirical basis. Subsequently, Charles Horton Cooley and George Herbert Mead further developed the concept of "self". It was Mead who began the analysis of the role-taking process. The concept of "self" all but disappeared from the realm of psychology until Gordon Allport began developing his conceptual analysis.

Role theory attempts to conceptualize human conduct at a complex level. It is an interdisciplinary theory as its variables are drawn from studies of culture, society and personality. Among psychologists who utilize the concepts of self, role, and interaction in their theoretical formulations are Newcomb, Cameron, Sargent, McClelland, and Sarbin. Sociologists, also, have made invaluable contributions to role theory. Among these are Faris, Park, Burgess, Cottrell, Merton, Waller, Parsons, Shils (with Parsons) and Kimball Young. "The broad conceptual units of the theory are role, the unit of culture; position, the unit of society, and self, the unit of personality."[2] The theory set forth leans heavily on the concepts articulated by Mead. The theory is an interaction formulation, and the unit of action is the person. Actions are studied as distinguishable entities without reference to internal structure. Actions which are organized into roles, plus the interaction of role and self, presents role theory as a unique social psychological formulation. Internal and external structure --within the organism and within the environment -- is assumed. Thus, role theory addresses itself to the investigation of these structures and their interaction.

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The following conceptual framework embraces culture, society and personality. "...we regard a culture as an organization of learned behavior and the products of behavior which are shared and transmitted. When analyzed, these behaviors appear to be no more and no less than the ordered actions of persons, e.g., mother feeds infant by forcing premasticated food into its mouth. Moreover, persons are always members of a society (defined as an aggregation of persons with common goals), and these societies are structured into positions or statuses or offices. The positions are collections of rights and duties designated by a single term, e.g., mother, village chief, teacher, etc. The actions of persons, then, are organized around these positions and comprise the roles. Role and position are conjoined. Roles are defined in terms of the actions performed by the person to validate his occupancy of the position. In sum, all societies are organized around positions and the persons who occupy these positions perform specialized actions or roles. These roles are linked with the position and not with the person who is temporarily occupying the position."[3]

Furthermore, the person is characterized by an internal organization of qualities or dispositions, the residue of an individual's experiences as a participant in the culture. "...this aspect is called personality and emphasizes individual differences. In role theory, this internal organization of qualities (traits, attitudes, and habits) is conceptualized as the self. The term "personality" is reserved for a broader concept: action systems arising out of the interplay of self and role."[4]

The meaning of the term role has been vague and nebulous. Only recently has there begun to be formulated a relatively stable core of meaning. Sarbin suggests that whatever agreement has been attained in the use of the term role centers around the organized actions of a person coordinate with a given status or position. One of the sometimes confusing results of thus regarding roles and positions as intimately related is their being treated as identical. They are interdependent concepts, but not identical.[5] A role is a patterned sequence of learned actions or deeds which are performed by a person in an interaction situation. The organized actions of a person in a given position (a role) may be a person's own,or it may be the actions of other persons not immediately involved in the reciprocal behavior. Recently, the concept of role has been broadened to refer, not only to expectations of actions, but to expectances about motivations, beliefs, feelings, attitudes and values.

The concept of role, although a central concept, is insufficient to account for complex social psychological behavior by itself, so it is supplemented by the concept of self. Implicit in the theory is the interaction of self and role. The central thesis that the self arises out of social interaction can be traced from James, Baldwin, Cooley and Mead through Faris, Park and Burgess, and Kimball Young. These scholars perceived the self as social. Thus, the self, as a cognitive structure, develops out of the interaction between the organism, and stimulus objects and events. Sarbin views the self as an organization of qualities at first unverbalized and unverbalizable,later verbalized in part by gestural or linguistic devices such as naming,self-drawings,adjectives, and I-sentences. The origins of the self lie in the results of the interaction between two series of events -- the first is the maturational series, the second, the personal-social series.[6]

Role perception is an organized response of a person to stimuli in a social context. It may be thought of as a sequence of behaviors in which the perceptual response is the first part of a social act . . . which serves to locate the position of the self. The second part of the social act is the motoric response, the role enactment, in which the actor performs actions appropriate to his location of positions of self and others.[7] Role enactments are the overt performance which validate (or invalidate) the expectation of the other person or persons in a social situation. Role enactment embraces what may be called the mechanics of the role-taking process. Variability in role perceptions, role enactment, and taking the role of the other is a function of the self.

Sarbin attempts to translate position into psychological concepts and to indicate its relationship to role. A position is equivalent to a system of rights and duties. It is a system of role expectations or acquired anticipatory reactions. The person thus learns to expect or anticipate certain actions from others, and others have expectations of him. A position is a cognitive organization of expectations--a concept embracing expected actions or persons enacting specified roles. Role expectations are organized around roles. Thus, a position is a perceived organization of role expectations.

There are two general kinds of role expectations--rights and obligations. Rights are those role expectations in which the actor of the role anticipates certain performance from the actor of the reciprocal role. Obligations or duties are those role expectations toward the actor of the reciprocal role. A person must acquire roles and role expectations through experiences. A person cannot enact a role, if he lacks the necessary role expectations. Role expectations--rights and obligations--may be analyzed in terms of actions and qualities.

While Sarbin was making his contribution, there were others--Nadel, Sargent, and Rommetveir to mention a few--who were also interested in the role concept. They were concerned primarily with clarifying and defining terms. After this period of the mid-fifties, the concept of role was broadened and attention was shifted to testing and verifying hypotheses. The orthodox view of the social structure being made up of roles which were the function of the normative consensual commitment of individuals or normative integration was challenged. Instead the notion was advanced that dissensus and role strain were the normative pattern. This expansion of the concept has been applied to numerous empirical studies from which have come valuable contributions to the field of social psychology.

Definition of Terms

While each person advancing a theory or testing an hypothesis offers his own definition of terms, the following terms and definitions are generally accepted.

Status.-refers to a position in a particular pattern. It is a perceived organization of role expectations or acquired anticipatory reactions. A status is a collection of rights and obligations.

Role.-refers to the patterned sequence of learned actions or deeds pertaining to a status. This concept has been broadened recently to refer, not only to expectations of actions but to expectancies about motivations,beliefs, feelings, attitudes and values.

Role Sector.-refers to a pair of social roles which consists of the expectations applicable to the relation of a focal position to a single counter-position.

Role Set.-refers to the set of relations of an occupant of a position with a number of role partners.

Role Strain.-refers to difficulty in conforming to role expectations. Role conflict is generally limited to situations where an actor is confronted with conflicting or competing expectations. Role strain covers these situations but there are a great variety of others in which an actor experiences difficulty in meeting role expectation. Some writers use the term "role incompatibility".Role strain is usually observable and/or measurable on the individual level of conflicting tendencies to act and feelings of inadequacy, guilt, embarrassment and need frustration. On the social level it is associated with interpersonal conflict and failure of the system to achieve its maximum goals. On a cultural level the degree of strain is in terms of inconsistencies among its elements.

Self-role Conflict.-The principle of constancy is stressed, meaning that a cognitive structure tends to maintain its organization despite forces directed toward changing it. This principle also applies to substructures: systems of role expectations. When the broader system--the qualities that make up the self--direct the organism to one set of role enactments and the narrow system--the acts and qualities that make up the role expectations--are incongruent or disjunctive, then we have conflict.[8] Coincident with conflict are organic perturbations, or anxiety, which disrupts the stable state. Constancy is reestablished by behavior (ego-defense mechanisms) which makes for the least change in either structure. Some of these forms of behavior which maintain constancy of the self while at the same time allow for the fulfillment of role expectations are: repression, projection, rationalization, over-compensation. These may be referred to as "preferred modes of cognizing."

Role-role Conflict.-Several types of role-role conflict may occur: (1) When the preferred modes of cognizing become functionally autonomous and become organized as trait systems. Neurotic behavior, for example, may often be explained as the over-determined utilization of the ego defense mechanisms. Psychotic behavior preconditions, as another example, arise when the person has few or no ego-defense mechanisms, or when they fail to re-establish constancy. (2) When two systems of role expectations are incongruent. A role is considered a part-structure of the social self and its internal organization is subject to the constancy principle, i.e., it tends to maintain itself in the face of events which threaten to disorganize it.

Goode further developed role theory by exploiting the well-known notion that societal structures are made up of role relations. He approaches both social action and social structure through the notion of "role strain--the felt difficulty in fulfilling role obligations."[9] These role relations are seen as a sequence of "role bargains", and as a continuing process of selection among alternative role behaviors in which each individual seeks to reduce his role strain. Goode refers to Parsons "theorem of institutional integration" which asserts that people generally want to do what they are supposed to do, and this is what the society needs to have done in order to continue.[10]

Goode's analysis takes as its point of departure the manifest empirical inadequacies of the widely current view of social stability--Goode calls this view the "Lintonian model" which purports that the continuity of a social system is mainly a function of two major variables, (a) the normative, consensual commitment of the individuals to the society, and (b) the integration among the norms held by these individuals. Goode maintains that with respect to any given norm or role obligation there are always some people who cannot conform, and lists several empirical situations which cannot be explained by this consensual view: (1) some individuals do not accept even supposedly central values of the society, (2) individuals vary in their emotional commitment to both important and less important values, (3) composition, e.g., age, sex, occupation, geographic region, religion, (4) even when individuals accept a given value, some of them also have a strong or weak "latent" commitment to very different or contradictory values, (5) conformity with normative prescriptions is not a simple function of value commitment; there may be value commitment without conformity or conformity without commitment; (6) when individuals' social positions change, they may change both their behavior and their value orientations, (7) the values, ideals, and role obligations of every individual are at times in conflict.[11]

The social psychologists, Secord and Backman, also acknowledge that role behavior is not always in accord with the expectations of a role category. They analyze role strain (and its resolution) on three levels--the social system, the personality system and the cultural system.[12] Role strain may occur when group members do not hold expectations in common or when they behave contrary to them.

The characteristics of the social system, or the relations between actors is the primary concern of sociologists. The focus is upon the recurrent interactions between individuals, and these are conceptualized in terms of position and role. The primary concern of psychologists is the personality dynamics of the individual, and the relations between various conceptual components or the personality--needs,self-conceptions and attitudes. When the cultural system is the focus the components are studied in terms of shared cognitions about the social and nonsocial world. This area of endeavor is the primary concern of the anthropologists. The social psychologist not only gives attention to the individual, but also attempts to relate the individual's behavior to variables on all three levels--the social system, the personality system and the cultural system. Thus, sources of role strain are to be found in the social system, in the personality system, and in the cultural system.

Sources of Role Strain in the Social System

Where role expectations are unclear, strain is produced by individual uncertainty about what is expected and by the many conflicting interpretations of what role behavior is appropriate.[13] For example, new roles do not offer a sufficient guide to action, and therefore are lacking in consensus among the participants. There is a lack of explicitness and specifity of expectations in newly developed roles. Also, successive changes in roles may produce role strain--especially when the actor does not have a clear expectation of the role he is to assume next. The ability or inability to adapt to successive roles is an important factor in considering role strain. Sarbin referred to the inability of a person to enact a role if he had not acquired the necessary role expectations through experiences.[14] Lack of adaptability, as La Pierre points out, may be the result of too many and too rigidly structure self-roles. . . . as the individual moves from social role to social role, his personality must undergo some sort of re-adaptation . . . . The nature and magnitude of the changes which must be made in his personality will depend on the extent to which his previous role or roles have fitted him for the new one. And that extent, in turn, will depend largely on the stability of the social system which has trained him and which assigns him his roles.[15]

If and when correct and accurate role categorizations cannot be made, uncertainty and inappropriate behavior with attendant role strain will occur. Similarly, if a person incorrectly categorized the role of another, then his reciprocal role behavior is also likely to be incorrect. In a given system the occupants of one or more positions may not agree on role expectations. When there is dissensus, action by the role actors is hindered which produces anxiety and uncertainty in their role expectations. Also, the various role partners of a position may define their roles differently from each other. Such conflict, if it can not be avoided or resolved, may bring negative sanctions from one or more of his role partners (such as withdrawal of affection and reward), and from the self (such as shame and guilt), or both. In case of dissensus of role expectations,negative sanctions may be employed by significant others.

An actor will simultaneously occupy many statuses at one time. The relationship of these role sets may be wide, distracting and conflicting, and an actor may be subject to competition or conflict since his behavior is subject to a number of sets of expectations. Complete or adequate performance in one set may mean fulfillment will be difficult in another. The actor may not be able to meet all the demands to the satisfaction of all the persons who are part of his total role network: these demands may overburden him. Newcomb et al refer to this overburdening as "role overload".[16]

The discontinuities encountered in "status passage ", such as may result from increasing age or experience, or may occur in rapid transition or turn-over. Role strain may arise in a system so organized that the positions an actor successively occupies involve conflicting expectations. When roles are related in such a way that conformity to the expectations of one role interferes with goal achievement by the role partner; or when the system permits interpersonal maneuvering to block the total achievement of one or more members of the system are additional sources of role strain.[17]

Sources of Role Strain in the Personality

Role strain may emanate from the personality from characteristics of the individual actors which interfere with their enactment or performance, or from the fact that a role to which an actor is assigned may be readily performed but is not suited to his needs. The actor may lack certain abilities and attributes necessary for successful enactment of roles. These abilities may be personal qualities or socially conferred attributes. Or, the actor may have a self concept contrary to the role expectations he is supposed to enact. An individual attempts to behave and tries to get others to behave in ways that are consistent with his self concept. Role behavior is influenced by the individual's knowledge of his role, his motivation to perform his role, and by his attitudes toward himself and the other persons in the interpersonal behavior event.[18]

The actor may possess certain attitudes and needs that interfere with the enacting of a particular role. If an attitude is defined as a predisposition to respond in a particular way toward a specified object or class of objects, such tendencies to act may facilitate or hinder role performance.Role strain may result when a role does not allow for the expression of the actor's needs,does not utilize his skills and abilities, or if the role is not suited to his personality and temperament.

Sources of Role Strain in the Culture

Strain results at those points in the cultural system where beliefs or ideology shared by the actors in a situation runs counter to role expectations. The ideology may contain conflicting elements, for instance, the humanitarian element that is stressed by the profession of medicine and the ideals of materialistic success. "The delinquent's acceptancy by his own culture . . . makes it possible for him to hold to a self-concept that is close to his ego ideal. He has a definite identity . . . which can provide him with comfort. He is spared the trials of ambiguity and the continual necessity of choice, since the criminal code provides him with ready answers. The successful therapist must have some appreciation of what he is asking the offender to give up in order to change, and must be able to communicate this appreciation in some way. He must provide a climate in which there are inducements toward acceptable behavior that are almost as alluring as those of delinquency."[19]

Following Sarbin's survey of the status of role theory published in 1954, most research in role theory has placed emphasis on the dissensus rather than the consensus of societal members. Sarbin defined terms, suggested hypotheses for further study, and made reference to representative research to support evidence for the utility of the theory. Subsequently, the concepts of role conflict and role strain were theoretically articulated. Studies which test empirically these theoretical concepts have contributed to the development of theory, e.g., a theory of role conflict resolution, and a theory of role strain. The published materials by Secord and Backman in 1964 serve practically the same purpose for role conflict as Sarbin did for role theory ten years previously.

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CONTROVERSIAL ISSUES IN BEHAVIORAL MODIFICATION

By

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Skinner's book, Walden Two, which was published in 1948 projected into the future how a community could be created and sustained by behavior modification principles.[1] The possibility of a culture designed and operated on behavioral modification principles is becoming a reality much sooner than it was thought possible due to the great knowledge explosion which has occurred in this field and related fields during the last decade. Behavior modification theory and practice have raised many controversial issues concerning its use. The pro's and con's of the issues which have been raised are considered in the following paragraphs which are grouped for the sake of clarity and organization into these sections: philosophy of man, manipulation, and methodological issues.

Philosophy of Man

Western civilization in the past has conceptualized man as basically a free agent in the control of his behavior. It was believed that man's will determines much of the behavior he exhibits. During this period western society rejected a scientific conceptualization of man's behavior as caused by antecedent conditions.[2] Since society has held this view of man for so many years, it is no wonder that behavior modification has raised so much controversy. The theory of behavior modification takes the scientific view of man as one of its basic assumptions.

Before commenting on this controversy let us look at some of the reasons given for the rejection of this view by western society. One reason given is that the scientific approach implies a control over man, and any control of man due to socialization induced by behavior modification practices is bad. Skinner believes the irony in this argument is that we have been verbally conditioned against control yet we have created institutions of control which are disguised under the names of government, education, and theology. Skinner also believes man has developed self-reenforcing rationalizations as to the reasons a science of human behavior is not possible. Two of man's favorite rationalizations re-enforcing these beliefs are (1) an individual's behavior is unpredictable because human behavior is too complex to predict and (2) statistics cannot predict an individual's behavior because statistics only predict averages.[3]

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Western philosophy has stressed the fact that individuals are too unique to enable prediction of human behavior.[4] Few behavioral scientists would deny the phenomenon of individual differences,but the fact remains to be proven that individuals have no common characteristics which provide a basis for some prediction.

All of these issues center around whether man is controlled or not controlled. This argument which has its psychological roots in the arguments that took place between Lock and Leibnitz in the 17th Century is fruitless.[5] The question which has more validity for behavioral scientists is--how can we most efficiently help man achieve his objectives? The objectives of the helping professions have been vague in this regard. Behavior modification, because of its philosophical orientation, has offered a methodological procedure for clarifying objectives.

Involved in behavior modification is control, since it is through this control that clarification of procedure comes about. Krasner believes that critics of behavior modification have raised undue alarm over the amount of control exercised by the behavior modification therapist.[6] By focusing on this aspect of the approach much of what behavior modification has to offer to the helping professions is lost. The test of efficacy in behavior modification is their stated goals. It is important to remember that behavior modification in its present theoretical state is not going to take over the world and control each inhabitant. Behavior modification only has the tentative goal of helping individuals achieve more adaptable behaviors. The goals of behavior modification must be tentative, and probably will change with time . Behavior modification either can be used to control man more, or to help man gain more freedom by finding out the variables that control human behavior. Such empirical findings may provide the opportunity for man to have more freedom because they enable him to be in a position to manipulate variables which control his behavior. Skinner sums up the issue when he states:

> If Western democracy does not lose sight of the aims of humanitarian action, it will welcome the almost fabulous support of its own science of man and will strengthen itself and plan an important role in building a better world for everyone. But if it cannot put its 'democratic philosophy' into proper historical perspective--if, under the control of attitudes and emotions which it generated for other purposes, it now rejects the help of science--then it must be prepared for defeat. For if we continue to insist that science has nothing to offer but a new and more horrible form of tyranny, we may produce just such a result by allowing the strength of science to fall into the hands of despots. And if, with luck, it were to fall instead to men of good will in other political communities, it would be perhaps a more ignominous defeat; for we should then, through a miscarriage of democratic principles, be forced to leave to others the next step in man's long struggle to control nature and himself.[7]

Manipulation

The criticism made of behavior modification that it is manipulatory is valid, but this criticism is valid also for all therapies. The manipulation which goes on in behavior modification may not be such a crucial issue since in many instances the therapist tells a client why he is doing something and indicates the effects on the client's behavior.[8]

Krasner believes that the spontaneous therapist is the greatest manipulator of all persons doing therapy.[9] The controversy over manipulation is another fruitless argument unless it is cast in light of the following question: which form of manipulation--explicit or implicit--helps the therapist to achieve effectively the goals which clients express?

The issue of manipulation is tied to the issue raised over control and the types of values which behavior modification therapists hold. Behavior modification therapists attempt to control the conditions which can influence their clients to exhibit certain behaviors. Some individuals have questioned the rightness of this procedure. Clarification of the question is made if we consider the level of authority exercised to control persons who are institutionalized. In this instance, society delegates to therapists working in the institution almost all the sanctions necessary to control the behavior of committed individuals. As to the use of control with clients in open settings, it can be argued that all therapists control their clients' behavior. Behavior modification therapists probably feel more comfortable with the idea of control because they acknowledge it. They question the criticism of others as all therapists actually shape up certain behaviors unintentionally in their clients. Rosenthal's findings indicate that many clients take on the values of their therapists during therapy.[10] Which is better--to deny that control exists or to acknowledge the fact and utilize it as effectively as possible in helping others.

Behavior modification therapists have been criticized for being cold, and disinterested in their clients, and for treating them like objects. Some of this criticism is valid, but must be placed in proper perspective which reveals that the coldness and extreme emphasis on objectivity is an overreaction against the traditional philosophy that dominated the helping professions until the last ten years. Traditional philosophy emphasized that most important in working with people are such expressions as warmth and friendliness. Behavior modification theorists have reacted against this approach, and have argued that these variables may be important but that other variables are just as crucial in helping people. Behavior modification therapists are considered cold because in working with clients they use a systematic plan. Other therapists who question this systematic plan as a detrimental procedure in working with clients should conduct research to support their postulation.

Also, it has been argued that the behavior modification therapist creates dependency in his clients. This criticism is unjustified because modification therapists require their clients to be active in their treatment, and require them to perform tasks which they are capable of executing. A good case can be made for applying this idea to traditional therapies which assume that many of their clients are sick and cannot perform certain tasks because of their pathology.

One significant conclusion can be drawn from this discussion: the ideas of manipulation, control, and values are emotionally laden issues. Unless these issues are evaluated on empirical bases, they will go unresolved.

Methodological Issues

One central issue is whether the therapy one engages in shall be based on a theory, or on a scientific theory. There is a distinct difference in the two. A scientific theory is characterized by its ability to predict and by concepts which can be specified. Many therapies are based on theories that are not able to predict behavior, and which comprise concepts that can be only vaguely identified. A scientific theory is one that is able to predict behavior with some probability of success rather than to explain behavior after the fact. Other theories of human behavior have a limited ability to predict human behavior. Learning theory's greater capacity for predicting behavior probably accounts for its wide acceptance. Only those professionals who engage in psychotherapy can determine whether the therapy they practice rests on a scientific base.

The fact that the learning theories on which the rationale of behavior modification is based are not formulated completely is a valid criticism. There are at least ten to fifteen possible learning theories that might be postulated to account for human behavior. All of these learning theories through empirical procedures have found strong empirical relationships which provide a valid base for the rationale of much of behavior modification practice. The therapists who practice behavior modification have to believe Skinner's point that we are not ready for a global theory of learning, but the endeavor to find sound empirical relationships which govern learning has considerable validity.

Several criticisms center around the type of research behavior modification theorists cite in support of their theoretical stance. This research has been primarily of the single organism type study.[11] Single organism studies employ no control subject which enables comparisons between the changes that occur in the experimental subject. Due to this deficiency, rival hypotheses can be advanced as to the variable or variables which brought about the changes that occurred in the experimental subject. This criticism directed at behavior modification research is valid. Studies are being conducted and planned which utilize control subjects and groups that should overcome this methodological deficiency. Another valid criticism is that the behavior changes produced in clients cannot be solely attributed to behavior modification techniques since the behavior modification therapists employ a variety of techniques when working with their clients.

The effects of different techniques will be realized when studies which compare the various techniques postulated by different schools are carried out. The criticism that some studies which behavior modification theorists have carried out are biased because of the recording procedure used is appropriate. An instance of such recording bias is Wolpe's study which is frequently cited by different writers to support behavior modification theorist's claims of success. The study is biased because Wolpe's success figures include persons only who were seen for fifteen or more interviews. Much doubt can be cast on his findings when one considers that the least treatable patients would tend to drop out early--probably before the fifteenth interview. By including only the persons seen for fifteen or more interviews Wolpe biased his sample. This procedure cuts down the ability to apply his findings to other comparable populations.[12] This criticism of methodological recording can be overcome when more stringent empirical procedures are used in research studies.

If behavior modification theory has contributed nothing else except to stir controversy among the different schools of therapy, it has made a significant contribution. The controversy has led other schools of therapy to review and re-evaluate the theoretical rationale upon which their approach and techniques are based. Another fact important to the helping professions which behavior modification has emphasized is that research conducted on human behavior must be evaluated by clinicians. A polarization of empirical research and clinical practice cannot continue.

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INHERENT AUTHORITY AND THE RESPONSIBILITIES IMPOSED UPON CORRECTIONAL PRACTITIONERS*

By

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The phrase "inherent authority" is not newly coined, nor is the significance of its application to correctional practice recently stated. Authority applied in practice by practitioners in corrections does suggest, however, a re-appraisal of the intent implied in "inherent authority," and based upon this intent a re-emphasis of the responsibilities shared by all practitioners in the helping professions. The content of this paper presents but two aspects of the phrase "inherent authority." These include: (1) the sources from which authority, defined as inherent, is derived, and the responsibilities this derivation makes of practitioners, and (2)a set of assumptions about man and the environmental demands which a democratic society makes of its members.

Other concepts of authority might have been selected and other definitions might have been explored. For purposes of clarification and elimination, a few of these are referred to briefly.

Based upon the validity of their claims to legitimacy, Weber classified three pure types of legitimate authority -- legal, traditional, and charismatic.[1] In substance, Weber[2] describes these types of legitimate authority as follows:

Legal authority.-rests on a belief in the legality of patterns of normative rules and the right of those elevated to authority under such rules to issue commands. Obedience is owed to the legally established impersonal order. Obedience is extended to the persons exercising the authority of office under it only by virtue of the formal legality of their commands and only within the scope of authority of office. The person who obeys legal authority owes no obedience to the person in authority. He obeys only the law.

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Traditional authority.-rests on an established belief in the sanctity of immemorial traditions and the legitimacy of the status of those exercising authority under them. Obedience is owed to the person who occupies the traditionally sanctioned position of authority. In turn, this person also is bound by tradition. In this type of authority, the obligation of obedience is not based on the impersonal order, but it is a matter of personal loyalty within the area of accustomed obligations.

Charismatic authority.-rests on a devotion to the specific and exceptional sanctity, heroism or exemplary character of an individual person and of the normative patterns or order revealed or ordained by him. The charismatic leader is obeyed by virtue of personal trust in him and his revelation, his heroism or his exemplary qualities so far as they fall within the scope of the individual's belief in his charisma -- the gift of grace.

Two additional types of authority both of which contain concepts that contribute to an understanding and use of authority are described by Studt.[3] (1) Sociological authority is power assigned to a position and exercised by the individual in that position as he participates in the making of decisions by others. It requires both delegation of that power to the position, according to legitimate means and the acknowledgment by the individual toward whom authority is exercised that such exercise of power is just and logical.[4] (2)Psychological authority is present in an interpersonal relationship in which one person looks upon another as somebody superior to himself. When applied to the professional relationship, Studt defines it as " . . . a highly skilled form of influence."[5]

None of the above concepts and definitions of authority were selected for exploration in this paper--not because they are not useful or needed for deepening our understanding of the nature of authority as a dynamic rather than a static concept. On the contrary, the principles evolving from these concepts upon which action rests are in operation constantly at all levels of practice among members of the professions. How these principles operate in practice, and the extent to which the social functioning* behaviors of individuals and groups are aided or thwarted suggest areas of intensive study and research.

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*The term "social functioning" has been defined as " . . . those activities considered essential for performance of the several roles which each individual, by virtue of his membership in social groups , is called upon to carry out.

The concept of inherent authority was selected because it seemed that even a brief exploration of its nature will serve to join an issue--norm-enforcer versus change-agent--among many professional practitioners in corrections, social work, educational counseling, and clinical psychology. The issue--norm-enforcer versus change agent -- may be stated differently: are professional practitioners to view social functioning as a means to an end, or as an end in itself? Practitioners have a major contribution to make in a resolution of this issue by finding the answer to the question.

There is no clearer description of the nature of inherent authority than the one given by Porter Lee in his address to the National Conference of Social Work in 1923.

> Civilization has become so complex that no man can be an authority with respect to all matters that are vital in his life. In politics, in finance, in health, in recreation, in religion, in philosophy, in his vocation,he needs outside assistance. Anyone whose judgment in any one of these fields he respects may be to him an authority. Authority in this sense is not constituted. It is rather inherent in the wisdom and understanding of the individual. Inherent authority is the authority of experience and learning, leading to judgments which less experienced, learned persons are willing to follow. Inherent authority is the authority of those whose lead we follow without any compulsion to do so.[6]

Does not this descriptive statement by Lee demand of all practitioners a continuous search for wisdom and understanding of the individual,and a persistent testing of knowledge in the crucible of experience? As suggested by Arthur G. Wirth in the forward of Loren Eiseley's, The Mind as Nature, do we permit ourselves constantly or just intermittently to be confronted with the urgent and perennial questions: What is Man? What might he become?[7]

Human culture is an indispensable storehouse for sus-

(Typically the individual has role in social groups related to such social institutions as the family,the church, the school, work, and leisure.) All role performance requires reciprocal activity,or social interaction, between individual and individual, individual and group, and individual and community. " Werner W. Boehm,"The Nature of Social Work," Social Work, Vol. 3, No. 2 (April 1958), 13.

> taining and furthering growth of the human spirit, but it may function also as an agent for atrophy. The peculiarities of our individual histories similarly may provide access to resources that free us to produce, or close us off from the rich and varied paths we might have opened for ourselves.[8]

Centuries before the Boston Tea Party, there were rebels and incorrigibles -- just as there are today -- who were seeking in action and in thought, the highest level of human realization for themselves and others to which their dreams and aspirations persistently led them. They lived in the "now" (the present) and their human need to grow had to be met now and in all the "nows" they would ever experience, but their image of self-fullfillment was future-oriented. The behaviors they manifested in which both the mind and the body were in motion not only influenced their ability to cope with the situational demands of the moment but in action--reaching for--self-identity was found and sustained. Thus, the human need to grow was met. And even if their goal was a pot-of-gold at the end of the rainbow which they never found and was but a means (the independent variable) to an end, human realization (the dependent variable) was extended and achieved by putting into operation all the self-potentials for thought and action at their command. Such persons were not giants--a few were, of course--but the vast number then as today were and are ordinary men and women.

Inevitably, we find HUMAN PROTEST, and "psyche trouble" wherever and whenever any authority, whether legally prescribed, procedurally constituted, status designated, institutionally provided, role articulated, and more recently, professionally sanctioned tends to thwart, impede, interfere or block the human need to grow. Fortunately, for those of us who inherit the privileges as well as the problems of the twentieth century, always there were individuals, groups, and communities who were not satisfied with the status quo, who were more committed to change and growth than to security, who refused to adjust to an environment alien to a realization of self-identity, and whose "coping behaviors" met the basic need to grow to maturity and to achieve human dignity.

What motivating force undergirds those coping behaviors that lead to self-realization? Is not that force derived from the most basic of all human needs--the need to grow. If members of the helping professions are to achieve the authority inherent in the wisdom and understanding of the individual so cogently formulated by Porter Lee, the behaviors individuals use to achieve self-fullfillment must be described, and the types of individuals who make use of these behaviors must be identified. Also, knowledge of individuals and the coping behaviors they use which result in unproductive and un-self-fulfilling consequences must be classified.What concepts of self-realization do these individuals hold for themselves? Or, do they have none?

Friedan reminds us that Freud was not concerned with changing society, but rather in helping man, and woman, adjust to it.[9] In her book, The Feminine Mystique, Friedan points to the following:

> Analysts who have freed themselves from Freud's bias and joined other behavior scientists in studying the human need to grow, are beginning to believe that this is the basic human need,and that interference with it,in any dimension, is the source of psyche trouble.[10]

From still another sector can be heard the growing crescendo of sociologists who have become disenchanted with the method of "functional analysis" as a special method in sociology and anthropology. ". . . functionalism cannot handle social change because it posits an integrated static society . . ."[11]

Lest our understanding be superficial of such concepts as "intervention," "protection," "alienation," "adjustment," to mention a few concepts that are receiving special emphasis currently,Ernst and Schwartz in their book, Privacy, The Right To Be Let Alone, have the following to say:

> . . . only the most sophisticated of societies have the interest and the ability to nurture that subtle and most personal possession of man, his dignity. Privacy, like most of our important legal landmarks, is a minority concept. The very word connotes a necessary alienation between the individual and his society, an alienation or distance that is at the core of our civil liberties.
>
> . . . .
>
> (Privacy) is violated whenever something unique about an individual--his face, his name, or even his dog's likeness --is taken by another without his consent and revealed to public gaze in order to enrich the misappropriator. Every violation of privacy,in this sense, is an indignity to the individual.
>
> . . . .

> The indignity one feels about an invasion of the thing that he protects against the state above all others, namely, his own privacy, constitutes the core of a person's very self-respect.
>
> . . . it requires a society dedicated to concern for the individual in the face of mesmerizing depersonalization that operates so insiduously in our modern world. There is no privacy in a totalitarian state except for the privacy of the dictator. The aim of a democratic society is to maintain the self-respect of the individual as best it can.[12]

Professional literature is replete with concepts such as self-actualization, self-realization, self-fulfillment, and other democratic ideas to which most thoughtful persons have always subscribed. If correctional practitioners truly espouse the most significant of all concepts comprising the philosophical, ethical, and theoretical knowledge base of the helping professions applicable to practice, the INDIVIDUAL with his right to grow and his responsibility to enhance society, then we cannot permit ourselves to accept the role that some would impose--the role of the norm-enforcer. We cannot use (or abuse) our inherent authority--wisdom, knowledge, skill--to influence or compel the individuals we serve to adjust to norms and standards of behavior prescribed by custom, culture, rules, policies, and/or laws in which the principles upon which these are based deny and impede the individual's "right to life" and his responsibility to contribute.

It is appropriate that correctional workers find interest in and are knowledgeable about factors in the life history of the individuals requesting professional services--especially those factors that have contributed to the depriving and debilitating use of potential strengths and capabilities. The focus on antecedants is not, however, the major knowledge domain of correctional practice, nor do antecedents provide the basic foundation of knowledge for corrections. Whatever valid reasons there are for borrowing extensively from other disciplines, especially from the behavioral sciences--a borrowing which will continue to contribute to a reservoir of knowledge needed by correctional workers--choices must be made, if knowledge building in corrections is to proceed, and make its contribution to a knowledge of man.

Social functioning, as a variable, could become a keystone for knowledge-building in the helping professions. Efforts have been made and will continue to be made to define the term, to test and to systematize knowledge about the nature of social functioning, and the effect this functioning (coping behavior) by individuals in their responses to the demands with which life confronts man.* The question to which an answer must be found is: Is social functioning a means to an end (self-realization); or is social functioning an end in itself (adjustment for adjustment sake)?

If social functioning is considered an end in itself (the dependent variable), then correctional practitioners will continue to use inherent authority--knowledge, attitudes, skills --to encourage individuals and groups to adjust to "the way things are" (the independent variable). Practitioners will continue to expend efforts--their own and those of the individual--to enable the individual to adjust to (live comfortably with) a wart on the nose, rather than to focus on an all-out effort, despite the wart, toward an achievement of self-fulfillment by the individual.

> The . . . reasons for backing the client's aspirations is that only through life itself can the client really try, test, and temper his abilities, his fantasies, and his goals. No amount of talking about "heads" and "walls" or testing the comparative strengths of heads and walls will have as real an impact on the client as his banging his actual head against a real wall. This is how people grow, how they gain a more mature view of themselves and the world. They succeed and fail and through success and failure they learn.[13]

If on the other hand, social functioning is considered a means to an end (the independent variable), then the inherent authority of the enabler coordinated with the capabilities of the individual is directed toward self-realization (the dependent variable) by the individual. Social functioning is good. Self-realization is best.

If human realization is the goal, then the stance toward scientific study that contributes to knowledge-building in corrections must view social functioning as the central means for achieving this end. Practitioners in corrections would then be in a prime position to make substantial contributions to research endeavors from which professional theory must be built, and the gap between the practitioner and the researcher would narrow.

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*Jane A. Stearns, D.S.W. A Proposal for Establishing a Working Relationship Between Social Work Practice and Knowledge Building. (mimeograph). Paper presented at the concurrent session on research at the Annual Program Meeting of the Council on Social Work Education, Denver, Colorado, January 22, 1965.

It is the practitioner at the operational level who can identify the social functioning behaviors that contribute to or impede human growth. The practitioner possesses knowledge--through experience, observation, study and involvement--not only of the coping behaviors that individuals manifest so as to function in relation to the demands of society, but a knowledge of the consequences of various patterns of social functioning which individuals use, can be identified, and the extent to which these patterns impede or contribute to self-realization can be ascertained. Only the practitioner can know directly from the individual what his aspirations are, what he hopes to become. It is highly probable that the professional application of inherent authority can enable the individual to learn the extent and degree to which his behavior blocks or contributes to his growth. Only as this type of authority is demonstrated consistently by professionals will clients try out suggested ways to achieve self-realization without any compulsion to do so.

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BUREAUCRACY AS A STRATEGY FOR PRISON REFORM

By

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The word "bureaucracy" is a red flag to many people who work in corrections. But, because correctional agencies are becoming increasingly involved in a more complex set of tasks, it is becoming more necessary to use bureaucracy as a highly useful method of making organization sense out of the host of activities that take place in an agency. This paper asks two central questions. First, is it desirable, or even possible to eliminate bureaucracy in contemporary corrections? Second, would it be possible to use bureaucracy as a means of making the correctional agency a treatment-oriented institution?

Pfiffner and Presthus[1] call bureaucracy the system of authority, men, offices and methods that government uses to carry out its programs. This means that it is a system of complex organization, made up of a vast number of technical skills used to carry out policies made by others, and peculiarly suited for large-scale operations.

The prison qualifies as a bureaucracy since it has administrative machinery to maintain its organization, a hierarchy of authority among its employees and a system of enforcement of its rules. It is a system of complex organization in that it is a product of a deliberate effort to formulate a plan for mobilizing the skills and coordinating the activities of individuals to carry out policies and goals made by officials. With the advent of large prisons and large inmate populations, mass administration made bureaucracy completely indispensable. This situation is compounded by the complexity of prison operations and the necessity to coordinate various specialized activities. What made prison operations become more complex? One answer is that trying to cope with personality difficulties (Rehabilitation goal) calls for more specialized personnel than simply guarding prisoners. Rehabilitation tasks are less predictable as compared to custodial tasks which are more subject to standardization. The former entails more personal and individualized attention with a more intricate division of labor.

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The prison guard has been described as "a bureaucrat with a gun."[2] Why? In this instance, bureaucracy is used to promote punishment. Such bureaucracy has been called punishment-centered,[3] because this form of authority is based on imposition of rules on an obedience for its own sake. This form of bureaucracy is found in the traditional prison where almost total control over inmates through concentration of power into the hands of a ruling officialdom, a detailed set of regulations, routinization of behavior, and constant surveillance is maintained.[4] This type of bureauceacy lends itself to the traditional punishment-centered prison because of its emphasis on routinization of behavior. Custodians demand obedience to a body of rules designed to preserve a quiet and orderly prison. Compliance is demanded of the inmates without seeking their consent. Standards for evaluation are applied without regard for personal sympathy and special favor. This depersonalization of bureaucracy tends to intensify the social debasement of the inmates, through petty humiliations, by being given numbers, deprived of personal possessions, routinized dress, work, diet and recreational activities. The inmate is further subjected to constant inspection, "shake-downs", and has no privacy from the eye of guards and fellow prisoners. This process of mortification is described by Sykes and Goffman.[5] Punishment-centered bureaucracy perpetuates a social system in the prison which blocks the rehabilitation goal.

The question is can the advantage of bureaucracy as an organizational tool be exploited by giving order and efficiency to the therapeutic-centered institutions we hope will evolve in corrections? A positive answer would be favorable to efficient and persistent penal reform. The task of first importance is to further the gains of a bureaucratic system without succombing to its pitfalls. Depending on how it is used bureaucracy can be a valuable tool for prison reform.

Reformism has been defined as an attitude characterized by the belief that the improvement of the salvation of the social order, or both, can be accomplished through alteration of some particular institution, activity or condition.[6]

Prison reform differs from other kinds of reform in that the prisoners who presumably are to be the major beneficiary of the change are not the advocates of this change. For efficient and persistent penal reform, which would revise established patterns of relationships within the prison, a different brand of bureaucracy is suggested, namely bureaucracy based on technical competence.

"Technical competence,"[7] refers to the granting of a status eliciting obedience of subordinates because the person of superior formal status has specialized knowledge or experience necessary to achieve the ultimate purpose of the organization.

Bureaucracy based on competence holds the promise of changing the organizational structure of the prison which affects the relationship between staff and among staff and inmates to facilitate the goal of rehabilitation.

This type of bureaucracy assumes that the executive is especially qualified to perform tasks essential to achieving purposes which the order-receiver defines as congenial to his own interests. Obedience then gains a measure of voluntariness as the receiver of orders begins to respect the competence of the executive's performance of tasks and as he finds that this performance benefits him. Bureaucracy provides an organizational scheme wherein the several specialists are able to discipline their organizational scheme to comprise a systematic whole consistent with the objectives sought by the order-receivers in accepting the authority of the executive. This authority derived from technical competence is vested in the employees too.

In applying this conceptual framework to the prison the competent correctional worker tries to get his authority accepted by the inmates in order to obtain the goal of rehabilitation which is consistent with prison reform. The competence of the correctional worker may contribute to inmate compliance with official norms by getting the inmate to identify with the prison goals through effective work performance.

By enhancing the competence of the correctional officer (the lower level staff member) through staff development and in-service training, the gap between the professional and nonprofessional is narrowed. The closing of this gap has pertinence to positive prison reform since it reduces the adverse effects of the dichotomy between therapy and custodial functions among employees prevalent in contemporary corrections.

This broader distribution of competence calls for a greater diffusion of authority. Flexible management styles can provide for this delegation of authority through participation. Management's methods to encourage participation are consultive and democratic forms of supervision which makes provision for delegating and sharing of authority and opening of channels of communication. This flexible management style generates the compliance desired among subordinates, both employees and inmates.

Voluntary compliance is necessary for group treatment. Group treatment requires that the inmate be a participant and a prime mover in the rehabilitative process. This process becomes possible if compliance is voluntary so as to maximize the possibility of eliciting the offender's participation. Criminality is seen as a property of groups. Its persistence is not solely the result of the individual's own personality structure but also depends on his affiliations with groups. Human behavior is seen as a product of group interaction. Since criminal behavior is acquired through contacts within groups, the process of changing people could be achieved by either using groups as the medium of change or as a target of change.[8] A broader distribution of bureaucracy based on competence and greater diffusion of authority in the group can enable the group to become a medium of change and a target of change. He becomes a medium of change by using group pressures on members constructively. The therapists and offenders learn to share a sense of belonging to the same group. This brings about a collaborative regime,[9] which is a restructuring of the prison organization.

The group becomes a target of change when the group itself becomes the course of pressure on the members for change. This is done by exerting group pressures toward conformity with pro-social norms.

To avoid succumbing to the pitfalls of bureaucracy, it should be based on competence and should not be punishment-centered or "based on the incumbency of a legally defined office," and obedience to rules for its own sake. The virtues of standardization should be emphasized to meet individual and group goals while avoiding pathological consequences of seeking standardization as an end in itself. In this manner bureaucracy based on competence can serve as a strategy for persistent prison reform.

The second question to which this paper is addressed viz., is it possible to eliminate bureaucracy in contemporary American corrections, is partly answered by the first question. Bureaucracy based on competence is an appropriate strategy for organizing the manifold activities which must be introduced to create and maintain a treatment-oriented institution. The complexity of prison operations as a result of the rehabilitation goal necessitated the use of bureaucracy to coordinate various specialized activities.

Bureaucracy helps in the problem of coordinating the major tasks of the staff. Coordination is achieved through a division of labor which is made necessary by the wide range of tasks necessary for such diverse goals as safeguarding society, maintaining internal order, maintaining and improving the physical plant and equipment, seeing to the needs of the inmates, implementing treatment objectives and several others.[10] Current developments in the field suggest that an even greater range of specialized activities is in prospect. It is not only impossible but undesirable to eliminate bureaucracy in contemporary American prisons.

Bureaucratic organization is useful for managerial efficiency which helps prisons achieve the goal of social protection and treatment. For managerial efficiency the formal organization of the prison is created rationally and deliberately--deliberate in that it seeks to logically create efficiency, so as to achieve assigned goals by affecting the relationships between staff and inmates. The crucial element of bureaucracy is that the interpersonal contact is its basic unit for building an organization. It is a scheme for coordinating diverse specialists. Coordination of specialists can be an expensive proposition. Bureaucracy is a means of meeting increased prison costs. Each specialist is able to routinize his tasks within the total complex of tasks. By standardizing tasks, the specialist is able to exploit repetitive operations applying specialized techniques to a large number of units within a given length of time. Among the human interactions in the prison there are recurrent situations which lend themselves to standardized handling, therefore through the lower levels of bureaucracy, individuals of a lesser degree of skill, aptitude and experience than necessary can be recruited. Because of the serious shortage of trained personnel in penal institutions, the bureaucratic scheme for manning the prisons promotes effective use of the previous reservoir of talent that is available. As a hybrid organization which combines functions with diverse establishments, the prison stands in particular need of bureaucratization for coordination and integration of functions.

Size is perhaps the basic cause of bureaucracy and with the increased use of imprisonment to deal with offenders, the size of prisons necessitated recourse to bureaucratic administration. Even in smaller treatment institutions, like the small residential institution at Highfields,[11] some form of bureaucratic structure is necessary to coordinate activities between the handyman, houseparents and director, who is administrator, chief contact worker, counselor, housemaster, and therapist, all in one. Even in the highly developed small institutions of psychiatric orientation, communication between staff gets to be a problem, because everybody is the child's worker or chief contact person, even the cook. And this situation becomes a matter of real concern when it is necessary to share clinical insights with lower staff and to use specialized workers as treatment resources.[12]

Conclusion

From the preceding discussion it can be concluded that it is not necessary to eliminate bureaucracy as a strategy for public administration in order to achieve prison reform, especially if bureaucracy is based on authority derived from competence. This strategy enables management to be more flexible and provide for broader distribution of competence and greater diffusion of authority, which breaks down the hierarchical structure with rigid chains of communication and command. This interaction brings about a collaborative instead of a mechanistic division of effort facilitating and encouraging the achievement of the organization's goals.

Secondly, since bureaucracy is an appropriate strategy for organizing the manifold activities which must be introduced to create and maintain a treatment-oriented institution it is not possible nor desirable to eliminate bureaucracy in contemporary corrections.

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MEXICAN FIELD SCHOOL IN SOCIOLOGY

By

J. D. McLeod*

Since 1939 Sam Houston State University has been operating a Field School in Mexico. The school is located at Puebla, a city of some 500,000 population, which is about a two-hour drive east of Mexico City. Held during the second summer school session, students leave Huntsville and travel to San Antonio by bus. From San Antonio they go to Laredo by train, and then board a Mexican train to Puebla. The purpose of the Field School is to give students an opportunity to live and study in a cultural setting different from their own. Opportunities for personal contact with the friendly people of Puebla abound. Courses in Spanish, Art, Music, Sociology, and other areas are offered.

The two Sociology courses offered in the Field School reflect the ambitious aim of introducing the student to the ancient high cultures of pre-hispanic Meso-America as well as some study of the modern culture of Mexico. In the modern period, emphasis is placed on studying, observing and participating in the folk culture or cultures of the area. For some three or four weeks, sociology students attend lectures in classrooms provided by the Colonial Hotel in Puebla. Afternoon walking tours to local points of interest are included. The members of the group observe native crafts in weaving, glass blowing and the use of the ancient potter's wheel. The lectures during this phase of the courses cover material dealing with the pre-hispanic cultures of the Totonac, Zapotec, Toltec, and sometimes the Mayan. Equal attention is given to the present social and cultural organizations in this part of Latin America.

The highlight of the study is undoubtedly the ten or twelve day field trip into some of the more or less remote areas of the Republic. This trip includes one or two days in the "Vanilla Jungle" of the Gulf Coast area. Overnight stops are planned for Papantla and Tecolutla in this region. Papantla, in the northeastern part of the State of Vera Cruz was once famous for the production of vanilla. The vanilla vine and fruit can be seen growing in some of the parks and plazas. This town is also the home of the Totanac "Valodores" or "Flying Dancers". During the latter part of July, these dancers make daily appearances during an Agricultural Fair in the nearby town of Zamorra. The student group usually manages to visit the Fair for one or more of these performances. Some of the other local dances are also performed at the Fair. A short drive from Papantla is found the unusual ruin of the pyramid "El Tajin." This pyramid is a Totanc ruin well-known for the distinctive "niches" that characterize its structure.

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The group then makes a short trip to the Gulf, stopping overnight at the remote fishing village of Tecolutla. This village is located at the mouth of a sizable river with a ferry to accommodate the crossing traffic. The beach and village are visited by a good many local residents but have remained largely ignored by the tourists from "the States." The next point of interest is Xalapa, located a six or seven hour drive from Tecolutla, depending on the quality of the bus that is taken from the ferry landing at Tecolutla. This trip is through a rich agricultural area featuring fields of coffee, bananas, and coconut. Corn, of course, is grown almost everywhere.

Xalapa is the capital of the state of Vera Cruz and is the site of the University of Vera Cruz. Also visited is a most unusual museum, both in design and contents in which are displayed many remains of the ancient La Venta culture. Xalapa is a clean looking city with many flowers,a fine view of the valley below, and Orizaba, Mexico's highest mountain, in the distance.

Upon leaving Xalapa,the group moves in the direction of Oaxaca,one of the most important areas for observing the ruins of the ancient,high civilizations of pre-hispanic Mexico. This route, Xalapa to Oaxaca, cuts across the lower mid-Mexico and is relatively poor in transportation facilities. It is necessary to go by bus into the lowlands of the Vera Cruz area and back into the mountains of the Cordaba - Orizaba region. The twin cities of Crodoba and Orizaba are in a lovely fertile valley region, and the students usually spend a few hours in these cities, plus an uncertain number of hours trying to make bus connections. When going by bus from Orizaba to Tehuancan, contact can be made with the train that runs from Mexico City to Oaxaca. A day is spent on this train, and a good bit of this time is involved in stops for the loading and unloading of people and merchandise. The train travels through a wild and isolated area extending into Southern Mexico, a portion of the republic unfamiliar with hard-surfaced roads.

Oaxaca, although swarming with tourists, is for a number of reasons an important center for the serious student of Mexican culture. The large State of Oaxaca has many "pockets" of Indian culture relatively unchanged by the twentieth century technology that is so rapidly altering much of Mexico. On the last two Mondays of July in the city of Oaxaca, fiestas are held with representative dances from the several regions of the State. These regions include the lowlands of the Pacific coast and the mountainous regions to the north of Oaxaca. The dances are both colorful and diverse. Equally interesting are the thousands of Indians that attend this all day fiesta. Oaxaca also exhibits one of the most interesting examples of Saturday markets, with many natives arriving from the interior with fruits, vegetables, and the products of their native crafts.

Located on a mountaintop to the west of Oaxaca is the impressive ruin of Monte Alban. This representative of the Zapotec period includes pyramids, plazas, and ball courts which cover the leveled-off top of the mountain. In the latter phase of Monte Alban, the Mixteca culture group occupied the site and constructed a number of tombs, many of which were discovered by Dr. Alfonso Caso. The mosaic and gold work from these tombs are exhibited in a little museum in Oaxaca. To the south of Oaxaca is Mitla, an interesting series of structures from the Mixteca period. These ruins are outstanding in their excellent mosaic stone work and massive stone columns and beams. Unless special arrangements are made to visit the Mayan ruins of the Yucatan area, only the better known structures of Cholula, Teotihuacan, and Tula remains are visited.

The well-known pyramid at Cholula can be visited by the student group in a one day trip from Puebla. One of the most ancient and largest of the massive structures of Meso-America has a bit of a tourist flavor with the tunnels excavated, at present, all the way through the ruin, but it is still an excellent example of the "layering process" characteristic of many of these pyramids. Teotihuacan is the best known of these structures, at least in terms of firsthand acquaintance by thousands of tourists from "the States" and in recent years by an even larger number of Mexican visitors. Tula is sometimes visited by the Sociology group and is impressive for its enormous human-like columns.

The students who participate in the Mexican Field School are not expected to be even amateur anthropologists, or "diggers" in their peregrinations over Meso-American, but they are expected to acquire a better understanding of the remarkable accomplishments of these cultures of centuries past. It is reasonable to expect the student to understand better his own culture by looking with some understanding at a different culture. The major gain for the student in the Mexican Field School should be the development of an appreciation for the people of another nation that evolves from meaningful personal contacts with the basically friendly people of Mexico.

THE JUVENILE COURT, PARENS PATRIAE AND THE LAW OF GUARDIANSHIP*

By

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The revolution presently taking place in juvenile court law follows close on the heels of other major judicial realignments in the criminal justice field. This revolution is not yet complete and we can expect to see further doctrinal developments emerge which were completely unforeseen a half century ago.

When writing on the juvenile court and its historical antecedents, one is immediately struck with the mass of literature and case law already present in this field. A lack of data presents no problem at all. In fact, the major difficulty is to synthesize into manageable form all the disparate learning accumulated by a host of disciplinarians. This article will discuss only a small aspect of juvenile law, namely, that portion dealing with the development of the *parens patriae*[1] doctrine through the law of guardian and ward.

To appreciate exactly why the *parens patriae* concept came to be so significant in juvenile justice necessitates an excursion into legal history. We begin with early English practice. Realizing full well that historical introductions are often, in Morris Cohen's words, "like the chaplain's prayer that opens a political convention, graceful and altogether unexceptional, but hardly determinative of subsequent proceedings, history, nevertheless, does make comprehensible some of the more important aspects of *parens patriae*. Subsequent developments in the law of crimes also entered the picture, but here we are concerned only with the civil side of juvenile court development.

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The juvenile court did not emerge eo instante from the visionary minds of its original founders meeting in Chicago in 1899. "While the court was to a certain degree novel and experimental, it had definite roots in our pre-existing court and legal system."[2] One of the major branches of this root system, probably the very taproot itself, was the chancery doctrine of parens patriae. In fact, so entrenched had the doctrine become during the first six decades of the juvenile court's existence, few appellate decisions dared raise the question of its legitimacy in either delinquency or in dependency and neglect situations. To many social scientists, questioning the utility of our institutions has been a part of the American way of life, especially where, as here, institutional solutions to social deviance have not materialized.

In 1967, the United States Supreme Court broke new ground when it took issue with several sacred tenets of juvenile court philosophy.[3] Particularly disturbing to the Supreme Court was the cavalier fashion in which the rhetoric of parens patriae masked a congeries of questionable legal procedures employed by juvenile courts.

Mr. Justice Fortas, the author of the majority opinion in the landmark decision of In re Gault,[4] railed against the doctrinal development of parens patriae in the juvenile court idiom. After discussing some of the classical rationales for separating children from adults in the criminal law process--the main ones being treatment and rehabilitation rather than punitive incarceration--Justice Fortas aimed a judicial broadside at chancery's brain child in its attempt to reach those goals when he said:

> These results were to be achieved without coming to conceptual and constitutional grief, by insisting that the proceedings were not adversary, but that the State was proceeding as parens patriae. The Latin phrase proved to be a great help to those who sought to rationalize the exclusion of juveniles from the constitutional scheme; but its meaning is murky and its historic credentials are of dubious relevance.[5] (Emphasis supplied).

Like other countless areas in the law, parens patriae does perhaps have an indistinct etymological origin, but it is submitted that, historically, its relevance to the juvenile court system is far from "dubious". Conceding parens patriae did develop along somewhat curious lines of judicial thought is not dispositive of the argument that it had little influence on present-day juvenile court thinking. What influence it does command in this field surely bears closer scrutiny than that given it by the Supreme Court in the Gault majority.

Anglo-American law has always felt consciously "secure" in the way it has handled that portion of the population which suffers from one or more forms of legal disability. The minor, however, enjoys perhaps the greatest degree of judicial solicitude in this regard. The reasons for this are not far to seek.

Children, because of their natural immaturity and their susceptibility to various factors both good and ill, came to be recognized quite early as wards of the court in situations where parental influence was attenuated. One of the articles of faith in juvenile justice has been "The fundamental idea . . . that the state must step in and exercise guardianship over a child found under such adverse social conditions as develop crime. . . . It proposes a plan whereby he may be treated, not as a criminal, or legally charged with crime, but as a ward of the state. . . ."[6] Guardianship and wardship were thus the touchstones of the early juvenile justice philosophy and still continue to play an important role even today. The parens patriae power of the state has been the legal predicate for the exercise of guardianship jurisdiction.

In the English legal system courts of equity (or chancery) have traditionally conceived their role to be that of the tribunal assigned the task of ameliorating the rigors of the common law.[7] Scrutton[8] informs us that although after the fourteenth century the common law judges did not recognize Civil law authority as binding, still the Civil law had quite a dominant influence on three separate medieval English tribunals outside the common law jurisdiction. The courts of Chancery, Admiralty and the Ecclesiastical forums relied quite heavily on earlier Roman doctrine. It is to the court of chancery that our investigation now proceeds.

Chancery originated in the king's prerogative of grace.[9] To him various petitions were addressed by supplicants who conceived themselves somehow injured by harsh common law rules, or who sought but found no common law remedy for a particular legal delict. During the reign of Edward III (1327-1377), the court assumed a character all its own and petitions for grace began to be directed to the Chancellor himself rather than to the king. "From 1358, such transactions were recognized as his proper province, and the powerful and complicated machinery of his Equitable Jurisdiction began to grow."[10]

The laws of Rome gained another foothold in Chancery through the so-called "Clerks de prima forma"[11] and the Masters in Chancery who were assistants in the court to reveal both the equity and conscience of the Civil law. Even as late as the time of Lord Chancellor Bacon (1619-1621), some of the Masters learned in both Civil and Ecclesiastical law sat upon the bench with the Chancellor to advise him if necessary.

Thus, equitable principles were imbued with strong humanitarian and religious overtones[12] consistently espoused by both the early clerical chancellors and their later secular counterparts. This explains, in part, the equitable tenderness accorded certain classes of unwanted and uncared for children in medieval England.[13] The sovereign assumed the theoretical role of protector of all the children within the realm and it is this heritage of parental power that our juvenile courts have continually claimed when the cry of "unconstitutional" is raised against them.

However, the English monarchs were not the defender of all children in the nation for obvious reasons of practicality. Civil government in those ancient days was handicapped to a far greater extent than present-day institutions in its attempt to care for the multitude of children then needing its supervision.

The primary basis of wealth in Great Britain during the developmental era of the law now under discussion was land. In feudal England, when a man died possessed of certain real property leaving a minor heir, it was the rule that the decedent's lord became the guardian of the infant. It was during these formative years in the law of guardianship that guardians enjoyed a host of rights, but were under correspondingly few, if any, duties.[14] The appointed guardians were invested with almost carte blanche authority to see that the royal treasure received its full due. "There was a lot of money to be made managing the estates of infant lords, and the king . . . was quite concerned lest some of his money should slip through his fingers."[15] As this quotation clearly reveals, only "infant lords" were the wards that claimed the interest of the sovereign. The children of the "common man", on the other hand, were yet to receive the judicial protection of parens patriae on a broad scale.

Thus, in feudal England the king's parental powers were exercised specifically in regard to the estates of wealthy heirs and, so far as minors were concerned, were only exercised as general incidents of the tenurial system of land holding.

But these "parental powers" of the sovereign were certainly of a somewhat different order from those normally associated with filial love and affection bestowed upon a child by its natural parents. As Taylor aptly said, "The metaphysical entity of the state cannot serve as an actual guardian."[16] In other words, the economic incidents of tenure overshadowed by far any corresponding natural love and affection the state might have for its minor wards.

The natural parents' legal right to custody of their offspring has never been considered absolute in England.[17] Likewise, the same rule holds true in the United States.[18] Because of this judicial relativism the concept of guardianship[19] arose in English law in a variety of ways.[20] This is one reason, at least, for the recognized confusion in the source of parens patriae. In its genesis, however, guardianship, no matter what theory supported its existence, was undertaken only in cases where the child had inherited property.[21] Orphans were generally left in the care of friends or relatives who were willing to undertake the burden of their maintenance. By local custom in certain boroughs, the borough itself assumed the duty of providing for the care of these children. The City of London, for example, asserted that the authorization for this governmental action lay in the fiction of a lost grant of parens patriae power from the king.

Feudalism had disappeared from the English way of life well over a century, however, before Parliament found it necessary to make some provision out of taxes for the care of destitute children. Interestingly enough, no mention was made of the parens patriae power in these so-called "Poor Laws".[22] It was ultimately left to the judiciary to extend guardianship jurisdiction via parens patriae into the germinating field of social welfare.

The wetherbell case in English chancery dealing with the various rights, duties and liabilities of both the parent and the state on the question of guardianship arose in 1722. In Eyre v. Countess of Shaftsbury,[23] the late Earl of Shaftsbury, by his last will, devised the guardianship of the person and estate of his infant child to three testamentary guardians until the child should attain the age of twenty-one. Mr. Justice Eyre was the survivor of the three guardians appointed by virtue of the statute of 12 Car. 2 (1660), which first allowed a father to appoint a guardian by will.

The surviving mother, the Countess of Shaftsbury, would have been the natural guardian in the father's stead[24] had not the Earl previously appointed the three named in the will. However, neither at common law nor under the *Statute of Tenures*[25] had the mother any rights of guardianship as against a guardian or guardians appointed by the father in a valid testamentary disposition.[26] Be that as it may, the Countess nevertheless negotiated the marriage of her infant son (which was a common practice among the wealthy in those times)without prior permission of Mr. Justice Eyre and she was adjudged guilty of contempt of court for her precipitate action.[27]

In delivering one of several opinions of the court, Lord Commissioner Gilbert considered the jurisdiction of equity in this particular type of case and affirmed the notion that the jurisdiction over minors was inherent in the king as "father of his country". Relying on the trust theory as the *raison d'etre* for guardianship jurisdiction, Lord Gilbert said:

> It was moreover urged that this was a matter of trust, that the Crown,as *parens patriae*, was the supreme guardian and superintendent over all infants and since this was a trust, it was consequently in the discretion of the Court whether or not they would do so hard a thing, as to take away an infant under 13 years of age, from so careful a mother as the Countess.[28]

Gilbert's colleague, Lord Jekyll, likewise envisioned chancery as the proper tribunal from which to extend the protective arm of state benevolence to situations involving guardianship. It was the opinion of Lord Jekyll that:

> The care of all infants is lodged in the king as *parens patriae*, and by the king this care is delegated to his Court of Chancery. . . . Idiots and lunatics who are incapable to take care of themselves are provided for by the king as *parens patriae*; *and there is some reason to extend this care to infants*.[29] (Emphasis supplied).

The immediate significance of this case was the fact that the words "parens patriae" apparently were first used here in support of governmental action for the propection of children who were neither idiots nor lunatics. Consequently, the foundation laid in chancery during the reign of George II (1722-1760), ultimately supported the erection of a judicial referent which would,in years to come, create a certain degree of confusion in several areas of Anglo-American jurisprudence.

The Lords who deliberated and ultimately handed down the opinions in the Shaftsbury case did not, however, view their decision as one cut entirely from new cloth. As early as the thirteenth century, the sovereign had exercised this power by assuming the guardianship of heirs, regardless of age, who had been born non compos mentis. From Bacon's Abridgment we read: ". . . the King, as parens patriae hath the protection of all his subject; and in particular manner is to take care of all those who by reason of their want of understanding, are incapable of taking care of themselves."[30]

In capsulized form, we can say that the history of guardianship both before and after the Shaftsbury decision involved two rather separate periods of socio-legal development. Taylor[31] takes the position that for purposes of historical discussion one must view guardianship development both before and after the year 1660. The history of the concept prior to 1660 was related primarily to two distinct bodies of law, namely, feudal guardianship and borough guardianship. The history of guardianship which has more relevance for present discussion, however, is that which developed after 1660. Statutory guardianship in any form was unknown before that date.

Following the important legislation of the seventeenth century[32] which abolished military tenures and the multiplicity of feudal incidents associated with them, the changes and developments in guardianship law for the next two hundred years were found primarily in judicial decisions. Both case law and the pioneering legislation during this era was the result of the many socio-economic changes following in the turbulent wake of the Industrial Revolution. The labor supply of Great Britain, formerly bound to the soil by tenurial incidents, was set free by both legal and social innovations which played a major part in the shaping of the law of guardian and ward.

In 1696, for example, just twenty-six years before the decision in Shaftsbury, chancery for the first time appointed a guardian for a minor on an ex parte petition. The normal procedure prior to that date was the filing of an actual suit before the court would entertain jurisdiction. Having once assumed jurisdiction on petition, however, the chancellors' powers were thus enlarged. This was law in the making; the gradual striving toward that judicial goal in which the founding fathers of the juvenile court in 1899 discovered all the necessary implements for the construction of a new court, with new philosophies, for an assumed "new" problem in youthful behavior. As the late Benjamin Cardozo once said, "The more we study law in its making . . . the more we gain the sense of a gradual striving toward an end, shaped by logic which, eschewing the quest for certainty, must be satisfied if its conclusions are rooted in the probable."[33]

Precedent had now been established for the state to become the guardian of social interests in the developing social welfare field. But regardless of the impact of Shaftsbury on this broadening of equitable jurisdiction, progress in the long run was halting and exceedingly slow. Although the Court of Chancery had now invested itself with wide authority for the dual protection of both the person and the property of its infant wards, still the court for many years failed to exercise the parens patriae power on the minor's behalf unless property rights were involved. Herbert Lou states that "The contention that the juvenile jurisdiction of the court of chancery was based on property alone is unsupported by authority."[34] What he probably meant by that assertion was that equity generally withheld the exercise of its jurisdiction, not the jurisdiction itself. It was well-established even at this time in English legal history that equity's superintendence in cases on behalf of minors was not confined to those in which there was property, but the court's exercise of its quasi-parental powers could practically take place only where there was property for the maintenance of the ward.

Equitable reticence to exercise jurisdiction unless a property right was involved was succinctly verbalized by Lord Chancellor Eldon in the guardianship case of In re Wellesley.[35] Said Eldon:

> . . . With respect to the doctrine that the authority belongs to the King as parens patriae, exercising a jurisdiction by this Court, it has been observed at the Bar, that the Court has not exercised that jurisdiction unless there was property belonging to the infant to be taken care of in the Court.[36] (Emphasis supplied).

Further on in the same opinion, however, the Lord Chancellor added:

> It is not . . . from any want of jurisdiction that it does not act, but from a want of means to exercise its jurisdiction; because the Court cannot take on itself the maintenance of all the children in the kingdom.[37] (Emphasis supplied).

Lord Eldon's decree in In re Wellesley was subsequently affirmed by the House of Lords in Wellesley v. Wellesley.[38] Thus, the House of Lords' stamp of approval was placed on the right of the Court of Chancery to exercise the parens patriae power in behalf of minors regardless of the "property right" theory. Although a scattering of English lower court authority still continued to adhere on occasion to the "property right" rationale when faced with the difficult question of guardianship of an impecunious minor, the die had been cast.

As times progressed and society became more diffused, social stratification in many cases became more pronounced. No longer could one rely on the provincial boroughs and townships to care for dependent and neglected youth. No longer were the common bonds of an agrarian society sufficient to hold mortise and tenon together along the walls of social cohesion. England had, in the span of a few short centuries, become the industrial leader of the world, and this leadership bred satellite problems of distressing proportion. Homeless waifs roamed the streets of urban England. Few, if any, had property at all beyond what they might perchance be carrying at the time on their persons. Their's was a life of normlessness, poverty and degeneracy.

Sixty-four years after the House of Lords' decision in the Wellesley case, Justice North in In re McGrath[39] declared that the "property theory" of equitable jurisdiction in guardianship cases was wholly unsupported by either principle or authority. North also cited In re Scanlan[40] and In re Nevin,[41] both of which held, essentially, that even a penniless child, in a proper case, must have a guardian appointed for him. Thus it took English law slightly over a century and a half to fully recognize its guardianship responsibilities over all minors, rich and poor alike. With the independence of the American colonies and the modified reception of English common law in the United States, The individual states ultimately stepped into the shoes of the Crown as the guardian of the minor. But guardianship, both here and in England, remained essentially a civil matter involving dependency and neglect.

While assuredly there were numerous examples of courts of equity assuming jurisdiction over children where the conduct of the parents proved that they were unable or unfit to care for them, no example exists in the history of the common law wherein a court of conscience assumed jurisdiction of a youth charged with the commission of a crime.[42] Whether this was because the criminal law was deemed outside the ambit of equitable cognizance, or whether it was felt that given the jurisdiction, little could be done to reform the child, is unclear.

At any rate, up until the year 1899, very few lawyers would have suggested a wedding of flexible chancery procedure with the rigid formalities of the common law of crimes.

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2. F. SUSSMAN, JUVENILE DELINQUENCY 15 (1959).
3. In the earlier case of *Kent* v. *United States*, 383 U.S. 541 (1966), the United States Supreme Court, fourteen months prior to *Gault*,revealed its concern over several practices dominant in juvenile court philosophy. It there said: "While there can be no doubt of the original laudable purpose of juvenile courts, studies and critiques in recent years raise serious questions as to whether actual performance measures well enough against theoretical purpose to make tolerable the immunity of the process from the reach of constitutional guaranties applicable to adults." *Id*. at 555.
4. 387 U.S. 1 (1967).
5. *Id*. at 16.
6. As quoted in REPORT OF THE COMMITTEE OF THE CHICAGO BAR, 1899.
7. Austin, in his characteristic style, said: "Equity arose from the sulkiness or obstinacy of the Common Law Courts, which refused to suit themselves to the changes which took place in the opinions and circumstances of society." J. AUSTIN, JURISPRUDENCE 635 (4th Ed. 1879).
8. Scrutton, "Roman Law Influence in Chancery, Church Courts, Admiralty and Law Merchant," in 1 SELECT ESSAYS IN ANGLO-AMERICAN LEGAL HISTORY 208 (1907).
9. Id. at 213-14. *See also* Adams, "Origin of English Equity," 16 COLUM. L. REV. 87 (1916); Oleck, "Historical Nature of Equity Jurisprudence," 20 FORDHAM L. REV. 23 (1951); 1 W. HOLDSWORTH, A HISTORY OF ENGLISH LAW 395 et seq. (6th Ed. 1938); J. Story, EQUITY JURISPRUDENCE Ch. 1(14th Ed. 1918) G. TREVELYAN, HISTORY OF ENGLAND (1937).

10. Scrutton, *supra* note 8, at 214.
11. A literal translation is "clerks of the First Form". We are told that "There were twelve clerks of the Fist Form who in 1375 first became known as masters. They took the rank next after the Chancellor and were in attendance in the House of Lords down to 1852." 1 DICTIONARY OF ENGLISH LAW 394 (Walsh Ed. 1959).
12. It was not unusual for Chancery to concern itself with the religious education of the child. The noted English poet, Shelley, was deprived of the custody of his children because he declared himself to be an atheist. *Cf*. *Shelley* v. *Westbrook*, Jacob 266 (1821), 37 Eng. Rep. 850.
13. For a comprehensive review of the nature and sources of equitable jurisdiction in this field, see Bryce, "A Comparison of the History of Legal Development at Rome and in England," in 1 SELECT ESSAYS IN ANGLO-AMERICAN LEGAL HISTORY 332 (1907) and C. GUTERBOCK, BRACTON AND HIS RELATIONS TO THE ROMAN LAW (Coxe transl. 1866).
14. 6 W. HOLDSWORTH, HISTORY OF ENGLISH LAW 648 (1924).
15. Note, "The *Parens Patriae* Theory and Its Effect on the Constitutional Limits of Juvenile Court Powers," 27 U. PITT. L. REV. 894, 895 (1965-66).
16. H. TAYLOR, LAW OF GUARDIAN AND WARD 5 (1935).
17. 1 W. BLACKSTONE, COMMENTARIES *460-64 (Jones Ed. 1915).
18. *E.g.*, *Prince* v. *Massachusetts*, 321 U.S. 158(1944), wherein Mr. Justice Rutledge said: ". . . It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for the obligations the state can neither supply nor hinder. . . . *But the family itself is not beyond regulation in the public interest*. . . . Acting to guard the general interest in youth's well-being, the state,as *parens patriae* may restrict the parent's control." *Id*. at 166.
19. *E.g.*, Taylor, *supra* note 16, at 3 states: "With certain exceptions and limitations, it may be said that guardians of the person fill a position similar in rights, remedies and responsibilities to that of parents. The guardian . . . is not bound to supply the wants of his ward, except from the ward's own estate or from the liberality of others."
20. 1 COKE ON LITTLETON 151 (16th Ed. 1809). One attempt was made to assign an origin to this jurisdiction by considering guardianship as in the nature of a trust, it being reasoned that the jurisdiction had thus a broad general foundation, since trusts were the peculiar objects of equity. See *Ex parte Whitfield*, 2 Atk. 315 (1742); *Ex parte Phillips*, 19 Ves. 122 (1812). Joseph Story took

issue with the above reasoning when he stated: "But this has thought to be an overstrained refinement; for although guardianship may properly be denominated a trust in the common acceptation of the term, yet it is not so in the technical sense in which the term is used by lawyers or in the Court of Chancery." 3 J. STORY, EQUITY JURISPRUDENCE 362 (1918). Other theories of guardianship jurisdiction that influenced legal thinking in this field were the ones concerning the ravishment of ward and the theory which held that the appointment of guardians belonged to the Chancellor before the creation of the Court of Wards and Liveries and upon the abolition of that court in 1660, the jurisdiction reverted to the King in the Court of Chancery. *Id*. at ch. 38.

21. 3 W. HOLDSWORTH, HISTORY OF ENGLISH LAW 512 (1924).
22. An Act for the Relief of the Poor. 43 Eliz. 1, c.2 (1763).
23. 2 P. Wms. 103, 24 Eng. Rep. 659 (1722).
24. The "natural right" of guardianship under English law was vested in the father. "The father has the guardianship of his son *jure naturae* and this is inseparable and cannot be waived. . . ." *Ratcliff's Case*, 2 Co. Rep. 37, 39 (1592).
25. 12 Car. 2, c. 24 (1660).
26. W. KELKE, LEADING EQUITY CASES ch. 9 (2nd Ed. 1910). The mother, upon the death of the father, did not become the natural guardian of the child until after the passage of the Guardianship of Infant's Act,49 & 50 Vix., c.27 (1886).
27. Early equity looked with disfavor on this particular practice of the landed gentry when the question of guardianship was at issue. In the case of *Hughes* v. *Science*, 2 Eq. Ca. Ab. 756 (1740), for example, Lord Hardwicke said: "The law of the country has taken great care of infants, both in their persons and estates, and particularly to prevent marriages to their disparagement. For that purpose it has assigned them guardians, and if a stranger married without the guardian's consent, it was considered a ravishment of ward, and the party was deemed punishable by fine and imprisonment; and so it was if the guardian himself married the infant to another to its disparagement." *Id*.
28. 2 P. Wms. at 104, 24 Eng. Rep. 659.
29. *Id*. at 118, 24 Eng. Rep. at 664.
30. 5 M. BACON, ABRIDGMENT 11 (Gwyllim & Dodd ed. 1854); *See also* *Beverley's Case*, 2 Co. Rep. 123, 124 (1738).
31. *Supra* note 16, at 9.
32. Acts and Ordinances of the Commonwealth 1,883 (1646) abolished military tenures and all their feudal incidents along with Acts and Ordinances of the Commonwealth 11,1043 (1656) and 12 Car. 2, c. 24 (1660) which abolished all tenures by knight service to the King.

33. B. CARDOZO, THE GROWTH OF THE LAW 70 (1924).
34. H. LOU, JUVENILE COURTS IN THE UNITED STATES 4 (1927).
35. 2 Russ. & M. 1 (1827).
36. Id. at 19-20.
37. Id.
38. 2 Bligh (N.S.) 124, 4 Eng. Rep. 1078 (1828).
39. 2 Ch. 496 (1892).
40. 40 Ch. D. 200 (1888).
41. 2 Ch. 299 (1891).
42. See generally Mack, "The Juvenile Court," 23 HARV. L. REV. 104 (1909); Lindsey, "The Juvenile Court from a Lawyer's Standpoint," 52 ANNALS 143 (1914).

THE SOCIAL STRUCTURE, REFERENCE GROUP APPROVAL AND RETREATISM[1] AS MANIFESTED IN THE FUNCTIONAL DISORDERS

By

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Mankind has a long history of dealings with those of its members who have been afflicted with disorders which have made them unfit to perform the functions and to maintain the relationships prescribed by the dominant society. The judgment's having been made of the individual's deviance beyond toleration, he was often cast from the group--a pariah. Early theory for this particular behavior stemmed from religious notions in which such behavior was supposed to have been "the result of violation of moral law."[2]

That society has defined the rules which label the individual deviant appears obvious at this point in time. What may be less obvious at this point is the individual's participation in the judgment of his deviance, if not indeed, in the definitions by which he is labeled deviant. It is the purpose of this paper to look at the structure of the society which makes and enforces the rules by which the individual is labeled deviant, at the process of labeling by the society, and at the process by which the individual, in attempting to deal with the definitions, retreats into a functional disorder, thus contributing to the rate of deviance in the retreatism catagory. Functional disorders as herein defined are those in which some part of the total organism, social or biological, fails to function in a "normal" manner (normal being defined by the culture), and for which no organic cause is ascribed, and which enables the individual to retreat from performance of "normal" role requirements.

The arguments of this paper center about two major theses: (1)that the functional disorder is the attempt by the individual self[3] at the unconscious[4] level to retreat from role performance without risk of being labeled deviant in a manner which the self defines as unacceptable to itself; (2) that the rates of deviance manifested as functional disorders will tend to cluster about those positions associated with great stress and great expectations. It will be noted that the first thesis appears to follow psychoanalytic theory rather closely, which it does in some measure, but whereas the psychoanalytic dynamic is predicted upon the libido, the traumatic frustration of which at critical points in the maturational process may later tend to produce aberrant behavior, the above thesis assumes tendencies toward but not determinant of actions and which are not necessarily libidinous in nature. A dynamic of approval-disapproval[5] is seen as operating in the socialization process through primary groups and, particularly in adolescense and later maturity, as a continuous process with regard to various reference groups. Before proceeding with the discussion more fully, we will now turn to the second thesis.

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Durkheim, in his famous work on suicide,[6] first clearly marked the relationship between the social structure--that is the values, goals, mores, and sanctions of a society--and anomie. He noted that in times of rapid technological change, of sudden prosperity, or of sudden depression, that the rates of anomie increased.[7] It seems logical to assume that such changes as Durkheim noted would cause concomitant adjustments in the social structure, particularly as regards goals and access to means of their satisfaction, thereby affecting the behavior of the individual perceiving the goals and the available means. This theory received renewed attention when Merton, with his typology of deviant adaptations focused attention again upon the social structure. He noted that in an "open" social structure such as is assumed in the United States, wherein aspirations are theoretically unlimited, that acute disjuncture between goals and institutionalized means tends to produce adaptations in which goals or institutional means are rejected, accepted or rejected and substitution made as in the case of rebellion.[8] In the case of the mode of adaptation termed retreatism, the mode with which this paper is concerned, Merton conceived of the goals and institutionalized means as being rejected. It follows, then, that the greater the disjuncture, or the more prolonged, the greater the rates of deviance. Implicit, but perhaps not explicit in the conception of increased rates of deviance in the presence of acute disjuncture between goals and institutionalized means, may be the time factor; the suddenness of the appearance of disjuncture. It is suggested here that this aspect may have a perceptional component in that a position newly occupied, or one long occupied but upon which societal attention is suddenly focused, may be a position perceived by the individual self as one in which associated role expectations cannot be fulfilled because of perceived disjuncture between the goals and the access to means.

Others have worked to extend Merton's theory,[9] among them Cloward,[10] whose conceptualization of differentials in access to illegitimate means has apparently been successful in bringing together the theories in the social structure and anomie tradition and those of the differential association tradition[11] in accounting for rates of deviant behavior which vary with positions within the social structure and which rates appear to be highest in the lowest social stratum. Cloward points out that those who are excluded from access to illegitimate means as well as from access to legitimate means have a greater probability of adapting through the retreatism mode than do those perceiving exclusion from access to legitimate means only. The theory of social structure and anomie as extended appears to have opened a fruitful field of inquiry with regard to deviance in general and retreatism in particular. Kadushin, in relating social class to the experience of ill health, says, "the very structure of an institution may . . . cause systematic differentials in observed rates of actions which come under its jurisdiction. These differences are not spurious but a part of the social structure."[12] Kleiner and Parker indicate that they are "impressed with agreement of the findings on the relationship between mobility orientation and mental disorder."[13]

There are those who advise caution in assuming that social class is positively related with rates in mental disorders. Dunham, Phillips, and Srinivasan conclude after mathematical analysis that, in schizophrenia, it is the nature of the disease that determines class rather than social class being an influencing factor in the development or in the precipitation of the disorder.[14] The structural factors associated with goals and institutionalized means now appear as necessary but not sufficient conditions in the development of the retreatist adaptation as manifested in the functional disorders. It is suggested here that a fruitful field for consideration might be the disjuncture between the role requirements for ascribed and certain achieved positions and the institutionalized values, goals, norms, and means of the reference group. Consideration of disjuncture in this manner will entail individual perceptions and intra-psychic conflict generated by perceived inconsistencies in approval and disapproval by the reference group.

The dynamics of retreatism

The dynamics of retreatism as manifested in the functional disorders are seen as occurring beginning with the infant human organism who is born with vague, random tendencies which impel toward preservation of the organism, but do not determine specific forms of behavior. Through the first relationship with the mother figure, the infant first becomes aware of the external world.[15] It is through the mother figure that the infant becomes dependent upon the approval manifested variously through the material aspects of care and through affect. It is at this point also that the infant becomes fearful of disapproval and its concomitants--the withholding of the material aspects of care and positive affect or approval.

As in Cooley's conceptualization,[16] the infant is conceived as gaining his first concept of himself reflected by the outside world through the primary group;that this is the beginning of the self. On a continuing basis , the reflection of approval or disapproval through interaction with the primary group is seen as guiding the process of socialization. It is through this means that the self gradually internalizes the behavioral concomitants of the cultural system in which he is reared.

As a logical consequence of this conceptualization, the perceived consistency (by the self) of a show of approval or disapproval from the primary group would be a determining factor in the developing and continuing ability of the self to predict forthcoming approval or disapproval from the primary group, thereby establishing the basis for trust[17] and confident action. Disapproval, if consistent, is seen as establishing a basis for "trust," i.e., ability to predict other's behavior. Inconsistency is seen as establishing a basis for "trust," i.e., ability to predict other's behavior. Inconsistency in approval-disapproval is seen as conflict-producing for the individual for whom it has significance. Two types of conflict are seen as deriving from perceived inconsistency in approval-disapproval as directed toward the same or similar behaviors. It is suggested here that the consequency of each type leads to the retreatist adaptation (Table 1).

Retreatism resulting from Type I conflict assumes that the individual has not actively rejected the institutionalized values, goals , norms, and means, but has retreated from those associated with the production of Type I conflict. The retreat is conceived as being partial as might be seen in functional blindness, or total as might be seen in catatonic schizophrenia.

Table 1. Roads to retreatism as manifested in the functional disorders

Type of Conflict	Adaptive Mode	Values	Institutionalized Goals	Norms	Means
I. Perceived inconsistency of reference group approval-disapproval toward similar responses in the same individual	Displacement Retreatism	=*	=	=	=
II. Perceived inconsistency of reference group approval-disapproval directed toward similar responses of different individuals--self, and another in the social milieu	Dissociative Retreatism	-*	-	-	-

* = retreat from (rather than active rejection of)
** - active rejection

In Displacement Retreatism, the individual perceives inconsistency of approval-disapproval by the reference group[18] with regard to responses in the realm of values, goals, norms, and means. It is suggested that in the face of this type of inconsistency, from the group from which approval is sought, that the individual will retreat from the values, goals, norms, and means of this reference group. The reason for retreat is seen as being the inability of the individual to structure his behavior in order to predict more than chance approval.

An illustration of this type of retreatism might be that of a teen-age girl who identifies with a particular clique (as reference group). The reference group inconsistently reflects approval-disapproval of similar behaviors (or responses) as perceived by the individual. Defense mechanisms, such as fantasy, may deal with the anxiety produced for some time, but ultimately, if predictable approval-disapproval is not forthcoming, the disjuncture between role requirements concomitant to her ascribed and achieved positions, and the institutionalized values, goals, norms and means of the reference group, is made manifest and the individual retreats from the values, goals, norms, and means of the reference group. It is suggested that if the self will not allow shift to a secondary reference group, that the self will retreat into a functional disorder.

Dissociative Retreatism, the product of Type II conflict, is produced when behaviors perceived by individual A as being identical to the behavior (response) of individual B, but which rather consistently produce disapproval for A and approval for B from the reference group. This might be illustrated in the following manner: Individuals A and B are brothers living in the same family group. The remainder of the family of orientation constitutes the reference group. B is given approval through his acceptance by the reference group. Approval is withheld from A, or active disapproval is shown A, even though A perceives his behaviors (or responses) to be the same as those of B. A, therefore, has no basis from which to predict approval--winning, or disapproval--avoiding, behavior. Rationalization, fantasy, or some other defense mechanism, has allowed him to fulfill role requirements, but unrelieved stress of disapproval, or a sudden additional stress of disapproval, cause him actively to retreat from the institutionalized values, goals, norms, and means of the reference group and of society and from role requirements concomitant to certain ascribed and achieved positions, into a functional disorder--assuming of course that the individual is unable to shift to another reference group. Again the retreatism is associated with disjuncture between role requirements associated with ascribed and certain achieved positions, and the values, goals, norms, and means of the reference group. This retreat into a functional disorder, whether sudden, or of long development, is more acceptable to the self than alternate modes of adaptation which are presumably available.[19]

It seems reasonable to assume that the behaviors of dissociative retreatism might be particularly associated with violence; that this individual recognizes no values, no goals, no norms, no means of any individual or group as having validity for him.

Summary

Retreatism manifested in the functional disorders is derived from (1) disjuncture between reference group identification and role requirements associated with ascribed and certain achieved positions; (2) through the mechanism of conflict produced by perceived inconsistencies of approval-disapproval of similar behaviors; (3) intensified by situational or expectational stress.

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3. G. H. Mead, Mind, Self and Society, (Chicago: University of Chicago Press, 1934), pp. 135-140.
4. Anna Freud, The Ego and the Mechanisms of Defense, (London: Hogarth Press, 1948), p. 47. Also see: Karen Horney, The Neurotic Personality of Our Time, (London: Paul Kegan, 1937) p. 137.
5. Certain similarities with the pleasure-pain principle are seen as being present; however, another term is used in an effort to avoid assumption of all of the psychoanalytic connotations.
6. Emile Durkheim, Suicide, (Glencoe, Ill.: The Free Press, 1951), pp. 241-276.
7. Ibid.
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16. Ibid.
17. For a discussion of the interrelationship of deviance and trust, see: Albert K. Cohen, Deviance and Control, (Englewood Cliffs, N.J.: Prentice-Hall, 1966), pp. 4-6.
18. Reference group as used here, means that group with whom the individual identifies with respect to values, goals, norms, and means, without regard to the realities of membership groups.
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